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#### In memory of George Foot Moore and Erwin Ramsdell Goodenough

who together founded the modern study of Judaism as a religion and who placed the study of Judaism into the center of the history of religion

> and in honor of Jonathan Z. Smith

who carried on their tradition and brought it to fruition.

"Let us celebrate our heroes."

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# PREFACE

The purpose of this translation is to present the Mishnah in as close to a literal rendition of the Hebrew as is possible in American English. In this way the formal patterns and formalized character of the original language will become accessible. Thus the contents of the Mishnah will be available in a rendition close to the way in which, in Hebrew, they are expressed. Since most of the Mishnah is expressed in highly patterned and formalized language, this fresh translation will make possible an understanding of the forms and formal character of the first document of Rabbinic Judaism. That kind of Judaism built upon the Mishnah, the two Talmuds, the Midrashim, and various other rabbinical writings of late antiquity, has been paramount to the present day.

My students and former students have translated the first of the six divisions, piece by piece. These translations were part of their dissertations or honors theses, read line by line in my seminar at Brown University. I have done the rest. My translation originally appeared in my *History of the Mishnaic Law* of Appointed Times (Leiden, 1981: E. J. Brill) I–V; *History of the Mishnaic Law of Women* (Leiden, 1979–1980: E. J. Brill) I–V; *History of the Mishnaic Law of Damages* (Leiden, 1982: E. J. Brill) I–V; *History of the Mishnaic Law of The Mishnaic Law of Holy Things* (Leiden, 1978–1979: E. J. Brill) I–V; and *History of the Mishnaic Law of the Mishnaic Law of the Mishnaic Law of Holy Things* (Leiden, 1978–1979: E. J. Brill) I–V; and *History of the Mishnaic Law of the Mishnaic Law of the Mishnaic Law of the Mishnaic Law of Holy Things* (Leiden, 1978–1979: E. J. Brill) I–V; and *History of the Mishnaic Law of Holy Things* (Leiden, 1978–1979) [L. Brill) I–V]; and *History of the Mishnaic Law of Holy Things* (Leiden, 1978–1979) [L. Brill) I–V]; and *History of the Mishnaic Law of Holy Things* (Leiden, 1978–1979) [L. Brill) [L. Brill) [L. Brill) [L. Brill) [L. Brill) [L. Brill) [L. Brill] [L. Brill]

*Mishnaic Law of Purities* (Leiden, 1974–1977: E. J. Brill) I – XXII. I thank my publisher, E. J. Brill, for permission to reproduce my translation all in one place in this book.

The following generously contributed their time and energy to recheck my translations of the second through the sixth divisions: Louis Newman (II), Roger Brooks (III), David Weiner (IV), Leonard Gordon (V), and Alan J. Avery-Peck (VI). In addition, Mr. Avery-Peck assisted in numerous other details in the preparation of the manuscript and also supervised and edited all the translations of the first division. I could not have brought this book to press without his help.

The text which is translated is the standard printed text, as presented by H. Albeck in his Shishah Sidre Mishnah (Tel Aviv and Jerusalem, 1954–1958). It has further been made to conform to MS Kaufman, the single manuscript covering the whole of the Mishnah and generally deemed the best for all of its parts. There is at present no critical text. A translation is not the correct setting for presenting a critical text, defending the choices represented, laying out variant readings, and the other valuable exercises of lower criticism. In the case of the Mishnah, the monumental work of Jacob N. Epstein, Introduction to the Text of the Mishnah (Jerusalem, 1948, 1964: Magnes Press of the Hebrew University) (in Hebrew) indicates the requirements for a critical text of the Mishnah. A full discussion of that subject is in Baruch Micah Bokser, "Jacob N. Epstein's Introduction to the Text of the Mishnah," and "Jacob N. Epstein on the Formation of the Mishnah," in Jacob Neusner, ed., The Modern Study of the Mishnah (Leiden, 1973: E. J. Brill), pp. 13–58. Readers are warned that Albeck's standard text has yet to be replaced by a more compendious and critical account of the diverse versions of passages of the Mishnah. But they may take comfort in the fact that no manuscript or other evidence suggests we have tractates, chapters, or even paragraphs other than and different from those translated here, and most manuscript evidence points toward variations of wording, rather than of the representation of the basic contents of the document. I have decided to translate the version of the Mishnah most likely to be available to students and to others who wish to refer both to this translation and to the Hebrew original. I accept in advance the quite correct criticism that I should have translated in such wise as to make reference to all the variants, deriving both from manuscripts and from medieval citations and allusions to the Mishnah. The best is the enemy of the good.

Publishing this fresh translation of the Mishnah constitutes no criticism of the great and pioneering translation by Herbert Danby, The Mishnah. Translated from the Hebrew with introduction and brief explanatory notes (London, 1933: Geoffrey Cumberlege. Oxford University Press). On the contrary, Danby's splendid work supplies a reference book, in English, for an immense number of technical terms and constructions in Hebrew. Nor is the value of this translation to be represented as a significant correction and improvement of Danby, even though at numerous points minor errors of various kinds inevitably are emended. While the value of Danby's work is not greatly diminished by these small errors, his translation has one fundamental flaw, which is corrected here. He does not make the effort to translate the Hebrew into English words following the syntax of Mishnaic Hebrew; he translates the Hebrew into fluent English. The result is precisely what Danby set out to achieve: "The object of this translation is to render the contents of the Mishnah easily accessible in their entirety." Because of Danby's fluent English, the contents of the Mishnah indeed are easily accessible. But the Mishnah as a work of careful and formal poetry and prose, as distinct from the gist of what the Mishnah says, is not. The reason is that the highly formalized and syntactically patterned language of the Mishnah in no way governs how Danby renders the document into English. He is indifferent to the Mishnah's tense usages, for example-indeed to all of its forms and formulary patterns. Consequently, while we gain a good picture of what the Mishnah says, we have only a vague notion, if any, of *how* the Mishnah says what it says. That is what the present translation, into American English, provides.

A great work of classical antiquity, as influential as is this one, may warrant more than a single translation, as the numerous efforts to present not only the Bible but also the great writings of classical antiquity indicate. What is gained in one translation will be lost in some other. What Danby contributes is in no way diminished by the different approach to the problem of translating the Mishnah taken in this volume. In justification for what is new here I need only point out that, if we do not know *how* a

document expresses its ideas, we do not fully and completely grasp *what* it wishes to say. For we learn as much from the way people express their ideas as we do from what they choose to say. A literal translation, closely following the syntactic and formal traits of the Hebrew, highlighting the stichs of the Mishnah's completed thoughts, showing the ways in which the Mishnah repeats a given form and then, when the subject changes, chooses to switch into some other formal pattern—this is what lies before the reader.

In the course of this translation, I subdivided each unit of thought into smaller sense-units, marked by letters, making possible convenient reference to the smallest complete thought-constituents of the unit. I further point out the repeated formal constructions when these are made up of internal, tightly organized syntactic patterns, by placing a Roman numeral, in bold-face type, at the left hand margin. The reader will quickly see how the framers of the Mishnah prefer multiples of three or five repetitions of a given syntactic or formal pattern. So when the Mishnah sets forth a single idea, it does so through multiples of three or five examples of one form and restatements of one principle. Again, the disputes of the document will be readily apparent through the layout of the sentences which contain the disputes, for example, a topic sentence followed by *Rabbi X says, "…," and Rabbi Y says, "…."* The close attention to the aesthetics of the Mishnah no longer is made up of long columns of undifferentiated type, broken up into gross paragraphs. It is now divided so that its patterned language, and the poetry comprised in those patterns, emerge to the light of day.

Since the Mishnah almost certainly began as a document formulated to facilitate oral repetition and memorization, the Mishnah thus moves not only from prose to poetry but also undergoes what I intend to be a move from a realm of visual silence to a world of song on paper. For if the Mishnah does not seem to sing like poetry, then it also does not speak. If, therefore, there is a simple thesis expressed in this translation, it is that the bulk (though not all) of the Mishnah constitutes a work of poetry. What makes the Mishnah poetry is its severe adherence to a few stunningly simple patterns of language for the expression of a wide variety of ideas and its resort to a highly disciplined though limited syntactic repertoire for the statement of its most profound convictions.

The translation is intended especially for ready reference. It may further serve as a handbook for students of Mishnaic Hebrew and provide adequate entry into the Mishnah for people who wish to look up a given passage. But since the Mishnah is a book which has demanded commentaries from its first appearance to the present day, it is hardly necessary to warn the reader that more is needed than can be given in a book such as this one. For if this translation represents the Mishnah as a sequence of clear and obvious statements, then the full complexity and rich potentiality of meanings implicit in the document have also to be sought out. But a one volume translation is not the right place for the search.

Words and phrases not in the Hebrew are given in square brackets. Bible quotations generally follow the Revised Standard Version. These are in italics.

I call attention to my translation of the Mishnah's first and closest companion, Tosefta, a work of sayings supplementary to the Mishnah produced over the two hundred years following A.D. 200, at the time the Mishnah appeared. The Tosefta is the first commentary to the Mishnah, and some of its materials (though not a large proportion) may even go back to the time in which the Mishnah itself was taking shape. The bulk of them were worked out in response to the Mishnah and as an exercise in explaining, amplifying, and extending the law of the Mishnah. The Tosefta follows the organization of the Mishnah, tractate by tractate and chapter by chapter, with numerous small points of difference of course, and very often cites the Mishnah verbatim. *The Tosefta* (New York, 1977–1980: KTAV Publishing House) II – VI, which I edited, and the volume covering the first division, *The Tosefta* (New York, 1986: KTAV Publishing House) I, edited by Jacob Neusner and Richard Sarason, should be consulted along with the Mishnah.

The second and third companions of the Mishnah are the Palestinian and Babylonian Talmuds. I have translated the former into English which is now in press as *The Palestinian Talmud* (Chicago, 1981–1990: The University of Chicago Press) I – XXXV. When completed, the entire translation will be in thirty-five

volumes, of which, as here, the first division, Agriculture, volumes 1–10, will be done by my former students. The other Talmud has appeared in English as *The Babylonian* Talmud, edited by I. Epstein (London, 1948: The Soncino Press) I–XVIII. I am editing a fresh, American translation. Seven of the thirty-seven tractates are now in print at Scholars Press. These three works — the Tosefta, the Palestinian Talmud, the Babylonian Talmud—present the principal results of the exegesis of the Mishnah in late antiquity. The results of the history of that sustained and continuous project from late antiquity onward is contained in the law and theology of Judaism today. After the Hebrew Scriptures, the Mishnah is the first canonical document of Judaism and stands at the head of the paramount and continuing expression of Judaism—law, hence theology — from its time to ours. Surely the work of rendering this foundation document of Judaism into English may be attempted more than once, indeed many times, as the purpose and the need for the labor are shaped and reshaped through the ages.

It remains only to thank Brown University for paying the formidable cost of typing the forty-three volumes of my history of the Mishnaic law, from which the translations of the second through sixth divisions of the Mishnah are taken. Some of the costs incurred by the students who translated the first division were paid by The Max Richter Foundation.

The manuscript was completed for press on the fortieth birthday of my wife, Suzanne.

Jacob Neusner

# INTRODUCTION

Falling into the hands of someone who has never seen this document before, the Mishnah must cause puzzlement. From the first line to the last, discourse takes up questions internal to a system that is never introduced. The Mishnah provides information without establishing context. It presents disputes about facts hardly urgent outside a circle of faceless disputants. Consequently, we start with the impression that we join a conversation already long under way about topics we can never grasp anyhow. Even though the language is our own, the substance is not. We shall feel as if we are in a transit lounge at a distant airport. We understand the words people say, but we are baffled by their meanings and concerns, above all, by the urgency in their voices: What are you telling me? Why must I know it? Who cares if I do not?

No one can take for granted that what is before us makes sense in any context but the Mishnah's own, inaccessible world. Each step in the inquiry into the meaning and importance of the document must be laid forth with ample preparation, taken with adequate care. For before us is a remarkable statement of concerns for matters not only wholly remote from our own world but also, in the main, alien to the world of the people who made the Mishnah itself. It is as if people sat down to write letters about things they had never seen, to people they did not know—letters from an unknown city to an undefined and unimagined world: the Mishnah is from no one special in utopia, to whom it may concern.

To state matters more directly: the Mishnah does not identify its authors. It permits only slight variations, if any, in its authorities' patterns of language and speech, so there is no place for individual characteristics of expression. It nowhere tells us when it speaks. It does not address a particular place or time and rarely speaks of events in its own day. It never identifies its prospective audience. There is scarcely a "you" in the entire mass of sayings and rules. The Mishnah begins nowhere. It ends abruptly. There is no predicting where it will commence or explaining why it is done. Where, when, why the document is set forth are questions not deemed relevant and not answered.

Indeed, the Mishnah contains not a hint about what its authors conceive their work to be. Is it a law code? Is it a schoolbook? Since it makes statements describing what people should and should not do, or rather, do and do not do, we might suppose it is a law code. Since, as we shall see in a moment, it covers topics of both practical and theoretical interest, we might suppose it is a schoolbook. But the Mishnah never expresses a hint about its authors' intent. The reason is that the authors do what they must to efface all traces not only of individuality but also of their own participation in the formation of the document. So

it is not only a letter from utopia to whom it may concern. It also is a letter written by no one person—nor by a committee, either. Nor should we fail to notice, even at the outset, that while the Mishnah clearly addresses Israel, the Jewish people, it is remarkably indifferent to the Hebrew Scriptures. The Mishnah makes no effort at imitating the Hebrew of the Hebrew Bible, as do the writers of the Dead Sea Scrolls. The Mishnah does not attribute its sayings to biblical heroes, prophets or holy men, as do the writings of the pseudepigraphs of the Hebrew Scriptures. The Mishnah does not claim to emerge from a fresh encounter with God through revelation, as is not uncommon in Israelite writings of the preceding four hundred years; the Holy Spirit is not alleged to speak here. So all the devices by which other Israelite writers gain credence for their messages are ignored. Perhaps the authority of the Mishnah was selfevident to its authors. But, self-evident or not, the authors in no way take the trouble to explain to their document's audience why people should conform to the descriptive statements contained in their holy book.

If then we turn to the contents of the document, we are helped not at all in determining the place of the Mishnah's origin, its purpose, the reasons for its anonymous and collective plane of discourse and monotonous tone of voice. For the Mishnah covers a carefully defined program of topics, as I shall explain presently. But the Mishnah never tells us why one topic is introduced and another is omitted, or what the agglutination of these particular topics is meant to accomplish in the formation of a system or imaginative construction. Nor is there any predicting how a given topic will be treated, why a given set of issues will be explored in close detail, and another set of possible issues ignored. Discourse on a theme begins and ends as if all things are self-evident—including, as I have said, the reason for beginning at one point and ending at some other.

In all, one might readily imagine, upon first glance at this strange and curious book, that what we have is a rule book. It appears on the surface to be a book lacking all traces of eloquence and style, revealing no evidence of system and reflection, serving no important purpose. First glance indicates that in hand is yet another sherd from remote antiquity—no different from those upon which the king lists are inscribed, the random catalogue of (to us) useless, meaningless facts: a cookbook, a placard of posted tariffs, detritus of random information, accidentally thrown into the currents of historical time. Who would want to have made such a thing? Who would now want to refer to it?

The answer to those questions is deceptively straightforward: the Mishnah is important because it is a principal component of the canon of Judaism. Indeed, that answer begs the question: Why should some of the ancient Jews of the Holy Land have brought together these particular facts and rules into a book and set them forth for the Israelites? Why should the Mishnah have been received, as it certainly was received, as a half of the "whole Torah of Moses at Sinai"? The Mishnah was represented, soon after it was compiled, as the part of the "whole Torah of Moses, our rabbi," which had been formulated and transmitted orally, so it bore the status of divine revelation right alongside the Pentateuch. Yet it is already entirely obvious that little in the actual contents of the document evoked the character or the moral authority of the written Torah of Moses. Indeed, since most of the authorities named in the Mishnah lived in the century and a half prior to the promulgation of the document, the claim that things said by men known to the very framers of the document, in fact derived from Moses at Sinai through a long chain of oral tradition, contradicted the well-known facts of the matter. So this claim presents a paradox even on the surface: How can the Mishnah be deemed a book of religion, a program for consecration, a mode of sanctification? Why should Jews from the end of the second century to our own day have deemed the study of the Mishnah to be a holy act, a deed of service to God through the study of an important constituent of God's Torah, God's will for Israel, the Jewish people?

In fact, the Mishnah is precisely that, a principal holy book of Judaism. The Mishnah has been and is now memorized in the circle of all those who participate in the religion, Judaism. Of still greater weight, the two great documents formed around the Mishnah and so shaped as to serve, in part, as commentaries to the Mishnah, namely, the Babylonian Talmud and the Palestinian Talmud, form the center of the curriculum of Judaism as a living religion. Consequently, the Mishnah is necessary to the understanding of Judaism. It hardly needs saying that people interested in the study of religions surely will have to reflect upon the same questions I have formulated within the context of Judaism, namely, how such a curious compilation of materials may be deemed a holy book. And, self-evidently, scholars of the formative centuries of Christianity, down to the recognition of Christianity as a legal religion in the fourth century, will be glad to have access to a central document of the kind of Judaism taking shape at precisely the same time as the Christianity studied by them was coming into being. In all, we need not apologize for our interest in this sizable monument to the search for a holy way of life for Israel represented, full and whole, in this massive thing, the Mishnah.

Let me now briefly describe the Mishnah. It is a six-part code of descriptive rules formulated toward the end of the second century A.D. by a small number of Jewish sages and put forth as the constitution of Judaism under the sponsorship of Judah the Patriarch, the head of the Jewish community of Palestine at the end of that century. The Mishnah is important because it forms the foundation for the Babylonian and Palestinian Talmuds. It therefore stands alongside the Hebrew Bible as the holy book upon which the Judaism of the past nineteen hundred years is constructed. The six divisions are: (1) agricultural rules; (2) laws governing appointed seasons, that is, Sabbaths and festivals; (3) laws on the transfer of women and property along with women from one man (father) to another (husband); (4) the system of civil and criminal law (corresponding to what we today should regard as "the legal system"); (5) laws for the conduct of the cult and the Temple; and (6) laws on the preservation of cultic purity both in the Temple and under certain domestic circumstances, with special reference to the table and bed. These divisions define the range and realm of reality.

#### The Mishnah in Context: Israelite History in the Later First and Second Centuries

The world addressed by the Mishnah is hardly congruent to the world view presented within the Mishnah. Let us now consider the time and context in which the document took shape. The Mishnah is made up of sayings bearing the names of authorities who lived in the late first and second centuries. (The book contains very little in the names of people who lived before the destruction of the Temple of Jerusalem in A.D. 70.) These authorities generally fall into two groups, namely, two distinct sets of names, each set of names randomly appearing together, but rarely, if ever, with names of the other set. The former set of names is generally supposed to represent authorities who lived between the destruction of the Temple in 70 and the advent of the second war against Rome, led by Simeon Bar Kokhba, in 132. The latter set of names belongs to authorities who flourished between the end of that war, ca. 135, and the end of the second century. The Mishnah itself is generally supposed to have come to closure at the end of the second century, and its date, for conventional purposes only, is ca. A.D. 200. Now, of these two groupssages from 70–130, and from 135–200—the latter is represented far more abundantly than the former. Approximately two thirds of the named sayings belong to mid-second-century authorities. This is not surprising, since these are the named authorities whose (mainly unnamed) students collected, organized, and laid out the document as we now have it. So, in all, the Mishnah represents the thinking of Jewish sages who flourished in the middle of the second century. It is that group which took over whatever they had in hand from the preceding century-and from the whole legacy of Israelite literature even before that time-and revised and reshaped the whole in the Mishnah. Let us briefly consider their world.

In the aftermath of the war against Rome in A.D.132–135, the Temple was declared permanently prohibited to Jews, and Jerusalem was closed off to them as well. So there was no cult, no Temple, no holy city, to which, at this time, the description of the Mishnaic laws applied. We observe at the very outset, therefore, that a sizable proportion of the Mishnah deals with matters to which the sages had no material access or practical knowledge at the time of their work. For we have seen that the Mishnah contains a division on the conduct of the cult, namely, the fifth, as well as one on the conduct of matters so as to preserve the cultic purity of the sacrificial system along the lines laid out in the book of Leviticus, the sixth division. In fact, a fair part of the sacrifices offered on the Day of Atonement, Passover, and the

like. Indeed, what the Mishnah wants to know *about* appointed seasons concerns the cult far more than it does the synagogue. The fourth division, on civil law, for its part, presents an elaborate account of a political structure and system of Israelite self-government, in tractates Sanhedrin and Makkot, not to mention Shabuot and Horayot. This system speaks of king, priest, Temple, and court. But it was not the Jews, their kings, priests, and judges, but the Romans, who conducted the government of Israel in the Land of Israel in the time in which the second-century authorities did their work. So it would appear that well over half of the document before us speaks of cult, Temple, government, priesthood. As we shall see, moreover, the Mishnah takes up a profoundly priestly and Levitical conception of sanctification. When we consider that, in the very time in which the authorities before us did their work, the Temple lay in ruins, the city of Jerusalem was prohibited to all Israelites, and the Jewish government and administration, which had centered on the Temple and based its authority on the holy life lived there, were in ruins, the fantastic character of the Mishnah's address to its own catastrophic day becomes clear. Much of the Mishnah speaks of matters not in being in the time in which the Mishnah was created, because the Mishnah wishes to make its statement on what really matters.

In the age beyond catastrophe, the problem is to reorder a world off course and adrift, to gain reorientation for an age in which the sun has come out after the night and the fog. The Mishnah is a document of imagination and fantasy, describing how things "are" out of the sherds and remnants of reality, but, in larger measure, building social being out of beams of hope. The Mishnah tells us something about how things were, but everything about how a small group of men wanted things to be. The document is orderly, repetitious, careful in both language and message. It is small-minded, picayune, obvious, dull, routine—everything its age was not. The Mishnah stands in contrast with the world to which it speaks. Its message is one of small achievements and modest hope. It means to defy a world of large disorders and immodest demands. The heirs of heroes build an unheroic folk in the new and ordinary age. The Mishnah's message is that what a person wants matters in important ways. It states that message to an Israelite world which can shape affairs in no important ways and speaks to people who by no means will the way things now are. The Mishnah therefore lays down a practical judgment upon, and in favor of, the imagination and will to reshape reality, regain system, reestablish that order upon which trustworthy existence is to be built.

If we now ask ourselves why people in our own age should take an interest in that long-ago time, the answer is not difficult to find. And it is not a claim for mere antiquarianism, let alone knowledge "for its own sake"—whatever that might mean. The sages of the Mishnah addressed Israel at the very end of its thousand-year life of sanctification through God's service in the Temple, of anointed kings and holy priests organizing (at least in theory) time and space of the land in accord with the model of the sacred Temple and along lines of structure emanating therefrom. The Mishnah, we notice, is the work of men who had survived the second war against Rome. Now when we realize that that war was fought roughly three generations after the destruction of the Temple, we notice yet another point of importance. When the Temple had been destroyed earlier, in 586 B.C., the prophetic promises of divine forgiveness had been kept. So the Temple was restored: Israel regained its homeland. Now, half a millennium later, the Temple had lain in ruins for another three generations. A great and noble war had been fought to regain Jerusalem, rebuild the Temple, and restore the cult. But what had happened was incomprehensible. The pattern established in the first destruction and restoration now proved no longer to hold. Indeed, nothing stood firm. This time around, not only was the Temple not rebuilt, the cult not restored. Jerusalem itself was declared off-limits to Israelites. The very center was made inaccessible.

In this context, it is not difficult to look for points of commonality between one age of uncertainty and another, also cut loose from ancient moorings. What the second-century sages of the Mishnah have to teach the generations of the last decades of the twentieth century and the first of the twenty-first, is how to make use of imagination and fantasy to confront, defy, and overcome chaos and disorder. Behind the Mishnah lay the ruins of half a millennium of orderly and systematic Israelite life which had been centered on the regular and reliable offering of the produce of the field and flock upon the altar of the Temple in Jerusalem, the ordering of society around that Temple, the rhythmic division of time in response to that cult, and the placing of people and things into their proper station in relationship to that center. One disastrous war had ended in the destruction of the Temple. The second, three generations later, had made certain it would not be rebuilt in the foreseeable future—nor, as it now appears, ever. In the aftermath of these two terrible wars the Israelite nation entered upon an existence far more precarious in mind than in material reality. Within a century the social and agricultural effects of the wars had worn off. Galilean synagogues of the third and fourth centuries testify to an age of material surplus and good comfort. But it would be a very long time before the psychological effects of dislocation and disorientation would pass. In some ways they never have. Our age, which looks back upon the destruction of enduring political and social arrangements in the aftermath of two terrible wars (with numerous skirmishes in between and since), has the power to confront the second century's world of ancient Judaism, because, it seems, there is a measure of existential congruence between the two ages and their common problems. For both are the kind which challenge the imagination and the will.

Now it is one thing to point out why, in general, a person in a wholly alien world might want to open the pages of this book. It is quite another to explain what one should look for and actually seek in reading what these people say. For those questions I asked at the outset, about why people then should have talked about an imaginary world and even today may want to listen to this incomprehensible chatter about what then was not and what today lies even beyond ordinary comprehension—those questions have to be answered in all the specificity of the hundreds of chapters, set forth in the dozens of tractates, of which the Mishnah is composed. This brings me to the three concrete matters worth protracted attention (as mere history is not): (1) the specific modes of discourse attained by the Mishnah; (2) the system of world building laid forth in the Mishnah; and (3) the interplay between that system and the massive heritage of Scripture which lay behind the Mishnah. These three things—language, system, heritage—have now to be explained.

Before proceeding, however, I want to point out to the reader the obvious fact that, for the period in which the Mishnah was taking shape, the Mishnah is hardly the only, or the most important, historical source. While up to now I have insisted on dealing with this particular document alone and have emphasized what is to be learned about the people behind it, we must now remind ourselves of two things.

First, the people who produced the Mishnah may well have produced other documents, or, more important, materials now incorporated in other, later documents, which surfaced only after the Mishnah was completed in A.D. 200. So we cannot suppose that all we know about the framers of the Mishnah derives from the Mishnah.

Second, in the same period as that in which the Mishnah's sages flourished, other Jews developed their own ideas. Many of these ideas may be shown to have entered into documents, also accepted by the Talmudic rabbis, which came to formation and completion after the Mishnah, even long afterward. Consequently, we have to see the Mishnah as only one important document of its day and of its group. We have, further, to understand that, in the formation of Judaism on the foundations of the Mishnah, much done in the Mishnah's own day would find its place only later on.

We have sound reason to believe that, in the later first and second centuries, there were important Jewish institutions of politics, culture, and religion (in those times, they were not so easy to differentiate), such as a court system, a patriarch (or ruler of the Jewish community of the Holy Land), academies, synagogues, and the like. To treat as if they did not exist ideas and institutions not attested in the book before us may well carry us deep into the world view of the people whose creative imagination is richly, if tediously, revealed in the pages of this book. But it would not provide us with an exhaustive and reliable account of the world actually viewed by those people, I mean, the world of the Jewish people of the first and second centuries in the Land of Israel. There is more to be learned about the Mishnah's context than the Mishnah tells us. That is all the more reason to receive the Mishnah as a powerful judgment *upon* its times, not merely a report about them. It is all the more necessary to see the Mishnah as an effort to respond in a systematic and encompassing way to a whole and total encounter with the world, not merely as a set of rules and regulations.

Through regulating a world constructed mainly in mind, the sages of the Mishnah built a world that would endure from their time to ours. In exercising the power of the mind and the heart to find order in chaos and reframe a reliable and predictable mode of being in an age of successive calamities, these sages erected a vast construction of philosophy and theology, law and hermeneutics, social policy and metaphysical theory. To ask them to tell us, in addition, what—in general—happens to have happened in their day and age is to ask a master chef to boil a hot dog. So now let us return to the matter before us, not what we do not find but what we do. We begin with language, for if this translation has any merit at all, it is, as I have claimed, in allowing you to confront the odd and strange utilization of a common language, Middle Hebrew, by the framers of the Mishnah. As I shall now show, what is even more important is to reflect upon the meaning of *how* language is used in this book.

#### Language: The Mishnah's Patterned Language and Its Forms

Since the special claim of this book is to present a literal translation of the Mishnah, adhering closely to its word order, syntax, and formal patterns, I shall dwell on the explanation of the language and forms of the document. Discussion of the other two matters—the Mishnah's substance and the Mishnah's relationship to its biblical heritage—will be much briefer.

Let us start our study of the language of the Mishnah with the simple question of how the document is organized. The answer is that the preferred mode of layout is through themes spelled out along the lines of the logic imbedded in those themes. The Mishnah is divided up, as we already know, into six principal divisions, each expounding a single, immense topic. The tractates of each division take up subtopics of the principal theme. The chapters then unfold along the lines of the (to the framers) logic of the necessary dissection of the division. While that mode of organization may appear to be necessary or "self-evident" (it is how we should have written a law code, is it not?), we should notice that there are three others found within the document but not utilized extensively or systematically. These therefore represent rejected options. One way is to collect diverse sayings around the name of a given authority. (The whole of tractate Eduyvot is organized in that way.) A second way is to express a given basic principle through diverse topics, for example, a fundamental rule cutting across many areas of law, stated in one place through all of the diverse types of law through which the rule or principle may be expressed. A third way is to take a striking language pattern and collect sayings on diverse topics which conform to the given language pattern. (There also is the possibility of joining the second and the third ways.) Faced with these possible ways of organizing materials, the framers of the Mishnah chose to adhere to a highly disciplined thematic-logical principle of organization.

In antiquity, paragraphing and punctuation were not commonly used. Long columns of words would contain a text—as in the Torah today—and the student of the text had the task of breaking up those columns into tractates, chapters, sentences, large and small sense units. Now if we had the entire Mishnah in a single immense scroll and spread the scroll out on the ground—it might extend the length of a football field!—we should have no difficulty at all discovering the point, on the five-yard line, at which the first tractate ends and the second begins, and so on down the field to the opposite goal. For, from Berakhot at the beginning to Uqsin at the end, the breaking points practically jump up from the ground like white lines of lime: change of principal topic. So, the criterion of division, internal to the document and not merely imposed by copyists and printers, is thematic. That is, the tractates are readily distinguishable from one another since each treats a distinct topic. Thus, if Mishnah were to be copied out in a long scroll without the significance of lines of demarcation among the several tractates, the opening pericope of each tractate would leave no doubt that one topic had been completed and a new one undertaken.

The same is so within the tractates. Intermediate divisions of these same principal divisions are to be discerned on the basis of internal evidence, through the confluence of theme and form. That is to say, a given intermediate division of a principal one (a chapter of a tractate) will be marked by a particular,

recurrent, formal pattern in accord with which sentences are constructed, and also by a particular and distinct theme, to which these sentences are addressed. When a new theme commences, a fresh formal pattern will be used. Within the intermediate divisions, we are able to recognize the components, or smallest whole units of thought (hereinafter, cognitive units), because there will be a recurrent pattern of sentence structure repeated time and again within, the unit and a shift in that pattern at the commencement of the next theme. Each point at which the recurrent pattern commences marks the beginning of a new cognitive unit. In general, an intermediate division will contain a carefully enumerated sequence of exempla of cognitive units, in the established formal pattern, commonly in groups of three or five or multiples of three or five (pairs for the first division).

The cognitive units resort to a remarkably limited repertoire of formulary patterns. The authors of the Mishnah manage to say whatever they want in one of the following:

1. the simple declarative sentence, in which the subject, verb, and predicate are syntactically tightly joined to one another, for example, *He who does so and so is such and such*;

2. the duplicated subject, in which the subject of the sentence is stated twice, for example, *He who does so and so, lo, he is such and such;* 

3. mild apocopation, in which the subject of the sentence is cut off from the verb, which refers to its own subject, and not the one with which the sentence commences, for example, *He who does so and so ...*, *it [the thing he has done] is such and such;* 

4. extreme apocopation, in which a series of clauses is presented, none of them tightly joined to what precedes or follows, and all of them cut off from the predicate of the sentence, for example, *He who does so and so ..., it [the thing he has done] is such and such ..., it is a matter of doubt whether ... or whether ... lo, it [referring to nothing in the antecedent, apocopated clauses of the subject of the sentence] is so and so ...* 

5. In addition to these formulary patterns, in which the distinctive formulary traits are effected through variations in the relationship between the subject and the predicate of the sentence, or in which the subject itself is given a distinctive development, there is yet a fifth. In this we have a contrastive complex predicate, in which case we may have two sentences, independent of one another, yet clearly formulated so as to stand in acute balance with one another in the predicate, thus, *He who does … is unclean, and he who does not … is clean*.

It naturally will be objected: Is it possible that a simple declarative sentence may be asked to serve as a formulary pattern, alongside the rather distinctive and unusual constructions which follow? True, by itself, a tightly constructed sentence consisting of subject, verb, and complement, in which the verb refers to the subject, and the complement to the verb, hardly exhibits traits of particular formal interest. Yet a sequence of such sentences, built along the same elementary grammatical lines, may well exhibit a clear-cut and distinctive pattern. When we see that three or five "simple declarative sentences" take up one principle or problem, and then, when the principle or problem shifts, a quite distinctive formal pattern will be utilized, we realize that the "simple declarative sentence" has served the formulator of the unit of thought as aptly as did apocopation, a dispute, or another more obviously distinctive form or formal pattern. The contrastive predicate is one example: the Mishnah contains many more.

The important point of differentiation, particularly for the simple declarative sentence, appears in the interplay between theme and form within the intermediate unit. It is there that we see a single pattern recurring in a long sequence of sentences, for example, *the X which has lost its Y is unclean because of its Z. The Z which has lost its Y is unclean because of its X.* Another example is a long sequence of highly developed sentences, laden with relative clauses and other explanatory matter, in which a single syntactical pattern will govern the articulation of three or six or nine exempla. That sequence will be followed by one repeated terse sentence pattern, for example, *X is so and so, Y is such and such, Z is thus and so.* The former group will treat one principle or theme, the latter some other. There can be no doubt, therefore, that the declarative sentence in recurrent patterns is, in its way, just as carefully formalized as a sequence of severely apocopated sentences or contrastive predicates or duplicated subjects.

In order to appreciate the highly formal character of the Mishnah, we turn to its correlative document, Tosefta, a corpus of supplementary materials serving to augment, amplify, and expand the Mishnah in various ways, brought to redaction between ca. A.D. 200 and 400. Tosefta's tractates follow those of the Mishnah. This is hardly surprising, since Tosefta is a supplement to the Mishnah. When, however, we examine the ways in which Tosefta's tractates are subdivided, we do not see the slightest effort to group materials in accord with a confluence of common theme and form, or to redact intermediate divisions in accord with a single fixed number of exempla, for example, three's or five's. Furthermore, Tosefta's units of thought are not highly patterned and exhibit none of the traits of carefully stylized formulation which we find in the Mishnah-except in those pericopae in which the Mishnah itself is cited and glossed (and they are many). Accordingly, Tosefta, a document dependent on the Mishnah, in no way exhibits careful traits of structured redaction, formal correspondence between formulary patterns and distinctive themes, for the internal demarcation of an intermediate division, or highly formalized formulation of individual units of thought. The Mishnah's traits emerge most clearly in the contrast established by its supplementary document. The mode of grouping cognitive units in Tosefta is in accord with one of three fixed relationships to the Mishnah. Pericopae which cite the Mishnah verbatim will stand together. There commonly will follow units which do not cite the Mishnah but which clearly complement the principal document, augmenting its materials in some obvious ways. And, at the end will be grouped together still other groups which supplement the Mishnah but which in no clear way depend upon the Mishnah for full and exhaustive exegesis. Accordingly, Tosefta's arrangement of its materials clearly relates to the Mishnah; and the contrast in the ways in which the Mishnah's own groups of cognitive units are set forth could not be more blatant.

This brief survey of the literary traits of the Mishnah permits us to turn to the question: What is to be learned about the authorities who bear responsibility for the peculiar way in which the Mishnah is formulated and redacted from the way in which they express their ideas? We speak, in particular, of the final generation represented in the Mishnah itself, the authorities of the period ca. A.D. 200 who gave the document its present literary character.

The dominant stylistic trait of the Mishnah as they formulated it is the acute formalization of its syntactical structure, and its carefully framed sequences of formalized language, specifically, its intermediate divisions, so organized that the limits of a theme correspond to those of a formulary pattern. The balance and order of the Mishnah are particular to the Mishnah. It now must be asked to testify to the intentions of the people who so made it. About whom does it speak? And why, in particular, have its authorities distinctively shaped language in rhymes and balanced, matched, declarative sentences, imposing upon the conceptual, factual prose of the law a peculiar kind of poetry? Why do they create rhythmic order, grammatically balanced sentences containing discrete law, laid out in what seem to be carefully enumerated sequences, and the like? Language not only contains culture, which could not exist without it. Language, in our case, linguistic and syntactical style and stylization, expresses a world view and ethos. Whose world view is contained and expressed in the Mishnah's formalized rhetoric?

There is no reason to doubt that if one could ask the authorities behind the Mishnah the immediate purpose of their systematic use of formalized language, their answer would be to facilitate memorization. For that is the proximate effect of the acute formalization of their document. Much in its character can be seen as mnemonic.

So the Mishnah's is language for an occasion. The occasion is particular: formation and transmission of special sorts of conceptions in a special way. The predominant, referential function of language, giving verbal structure to the message itself, is secondary in our document. The expressive function, conveying the speaker's attitude toward what he is talking about, the conative function, focusing upon who is being addressed, and other ritualized functions of language come to the fore. The Mishnah's language, therefore, as I have said, is special, meant as an expression of a nonreferential function. So far as the Mishnah was meant to be memorized by a distinctive group of people for an extraordinary purpose, it is language which includes few and excludes many, unites those who use it, and sets them apart from others who do not.

The formal aspects of Mishnaic rhetoric are empty of content. This is proved by the fact that pretty much all themes and conceptions can be reduced to the same few formal patterns. These patterns are established by syntactical recurrences, as distinct from recurrence of sounds. The same words do not recur. Long sequences of patterned and disciplined sentences fail to repeat the same words—that is, syllabic balance, rhythm, or sound—yet they do establish a powerful claim to order and formulary sophistication and perfection. That is why we could name a pattern—*he who* … *it is* … —apocopation: the arrangement of the words as a grammatical pattern, not their substance, is indicative of pattern. Accordingly, while we have a document composed along what clearly are mnemonic lines, the Mishnah's susceptibility to memorization rests principally upon the utter abstraction of recurrent syntactical patterns, rather than on the concrete repetition of particular words, rhythms, syllabic counts, or sounds.

A sense for the deep, inner logic of word patterns, of grammar and syntax, rather than for their external similarities, governs the Mishnaic mnemonic. And that yields the fundamental point of this analysis: Even though the Mishnah is to be memorized and handed on orally, it expresses a mode of thought attuned to abstract relationships, rather than concrete and substantive forms. The formulaic, not the formal, character of the Mishnaic rhetoric yields a picture of a subculture—the sages who made up the book—which speaks of immaterial, and not material, things. In this subculture the *relationship*, rather than the thing or person which is related, is primary, constitutes the principle of reality. The thing in itself is less than the thing in cathexis with other things, so too the person. It is self-evident that the repetition of form creates form. But what is repeated, as I have explained, is not external or superficial form. Rather we find formulary patterns of deep syntax, patterns effected through persistent grammatical or syntactical relationships and affecting an infinite range of diverse objects and topics. Form and structure emerge not from concrete, formal things but from abstract and unstated, but ubiquitous and powerful relationships.

This fact—the creation of pattern through grammatical relationship of syntactical elements, more than through concrete sounds—tells us that the people who memorized conceptions reduced to these particular forms were capable of extraordinarily abstract cognition and perception. Hearing peculiarities of word order in diverse cognitive contexts, their ears and minds perceived regularities of grammatical arrangement, repeated functional variations of utilization of diverse words. They grasped from such subtleties syntactical patterns not expressed by recurrent external phenomena such as sounds, rhythms, or key words, and autonomous of particular meanings. What they heard, it is clear, were not only abstract relationships but also principles conveyed along with and through these relationships. For, I repeat, what was memorized was a recurrent and fundamental notion, expressed in diverse examples but in recurrent rhetorical-syntactical patterns. Accordingly, what the memorizing student of a sage could and did hear was what lay far beneath the surface of the rule: the unstated principle, the unsounded pattern. This means that the prevalent mode of thought was attuned to what lay beneath the surface; minds and ears perceived what was not said behind what was said and how it was said. They besought that ineffable and metaphysical reality concealed within yet conveyed through spoken and palpable material reality.

Social interrelationships within the community of Israel are left behind in the ritual speech of the Mishnah, just as, within the laws, natural realities are made to give form and expression to supernatural or metaphysical regularities. The Mishnah speaks of Israel, but the speakers are a group apart. The Mishnah talks of this-worldly things, but the things stand for and speak of another world entirely. The language of the Mishnah and its formalized grammatical rhetoric create a world of discourse quite separate from the concrete realities of a given time, place, or society. The exceedingly limited repertoire of grammatical patterns by which all things on all matters are said gives symbolic expression to the notion that beneath the accidents of life are a few comprehensive relationships. Unchanging and enduring patterns lie deep in the inner structure of reality and impose structure upon the accidents of the world. This means, as I have implied, that reality for Mishnaic rhetoric consists in the grammar and syntax of language: consistent and enduring patterns of relationship among diverse and changing concrete things or persons. What lasts is not the concrete thing but the abstract interplay governing any and all sorts of concrete things.

There is, therefore, a congruence between rhetorical patterns of speech, on the one side, and the substantive framework of discourse established by these same patterns, on the other. Just as we

accomplish memorization by perceiving not what is said but how it is said and is persistently arranged, so we speak to undertake to address and describe a world in which what is concrete and material is secondary. How things are said about what is concrete and material in diverse ways and contexts is principal. The Mishnah is silent about the context of its speech—place and time and circumstance— because context is trivial. Principle, beginning in syntactical principles by which all words are arranged in a severely limited repertoire of grammatical sentences ubiquitously pertinent but rarely made explicit, is at the center.

The skill of the formulators of the Mishnah is to manipulate the raw materials of everyday speech. What they have done is so to structure language as to make it strange, to impose a fresh perception upon what to others (and what in Tosefta) are merely unpatterned and ordinary ways of saying things. *What* is said in the Mishnah is simple. *How* it is said is arcane. Ordinary folk cannot have had much difficulty understanding the words which refer to routine actions and objects. How long it must have taken to grasp the meaning of the patterns into which the words are arranged! How hard it was and is to do so is suggested (at the very least) by the necessity for the creation of Tosefta, the Talmuds, and the commentaries in the long centuries since the Mishnah came into being. In this sense the Mishnah speaks openly about public matters, yet its deep structure of syntax and grammatical forms shapes what is said into an essentially secret and private language. It takes many years to master the difficult argot, though only a few minutes to memorize the simple patterns. That constitutes a paradox reflective of the situation of the creators of the Mishnah.

Up to now I have said only a little about tense structure. The reason is that the Mishnah exhibits remarkable indifference to the potentialities of meaning inherent therein. Its persistent preference for the plural participle, thus the descriptive present tense—"they do ...," "one does ...,"—is matched by its capacity to accept the mixture of past, present, and future tenses. These can be found jumbled together in a single sentence and, even more commonly, in a single pericope. It follows that the Mishnah is remarkably uninterested in differentiation of time sequences. This fact is most clearly shown by the *gemisch* of the extreme apocopated sentence with its capacity to support something like the following: "He who does so and so ... the rain came and wet it down ... if he was happy ... it [is] under the law, If water be put." Clearly, the matter of tense, past, present, future, is conventional. Highly patterned syntax clearly is meant to preserve what is said without change (even though we know changes in the wording of traditions were effected for many centuries thereafter). The language is meant to be unshakable. Its strict rules of rhetoric are meant not only to convey but also to preserve equally strict rules of logic, equally permanent patterns of relationship. What was at stake in this formation of language in the service of permanence? Clearly, how things were said was intended to secure eternal preservation of what was said. Change affects the accidents and details. It cannot reshape enduring principles. Language will be used to effect and protect their endurance. What is said, moreover, is not to be subjected to pragmatic experimentation. Unstated, but carefully considered, principles shape reality. They are not shaped and tested by and against reality. Use of pat phrases and syntactical clichés, divorced from different thoughts to be said and different ways of thinking, testifies to the prevailing notion of unstated, but secure and unchanging, reality behind and beneath the accidents of context and circumstance: God is one, God's world is in order, each line carefully drawn, all structures fully coherent.

Two facts have been established.

First, the formalization of the Mishnaic thought units is separate from the utilization of sound, rhythm, and extrinsic characteristics of word choice. It depends, rather, upon recurrent grammatical patterns independent of the choices of words set forth in strings. The listener or reader has to grasp relations of words in a given sequence of sentences quite separate from the substantive character of the words themselves.

Second, the natural language of Middle Hebrew, as the Mishnah's kind of Hebrew is called, is not apt to be represented by the highly formal language of Mishnah. Mishnaic language constitutes something more than a random sequence of words used routinely to say things. It is meant as a highly formulaic way of expressing a particular set of distinctive conceptions. It is, therefore, erroneous to refer to *Mishnaic* 

language. Rather, we deal with the Mishnaic revision of the natural language of Middle Hebrew. And, it is clear, what Mishnah does to revise that natural language is ultimately settled in the character of the grammar, inclusive of syntax, of the language. Middle Hebrew has a great many more grammatical sequences than does Mishnaic Hebrew. It follows, Mishnaic Hebrew declares ungrammatical—that is, refuses to make use of—constructions which Middle Hebrew will regard as wholly grammatical and entirely acceptable. The single striking trait of the formalization of Mishnaic language, therefore, is that it depends upon grammar. And just as Chomsky says, "Grammar is autonomous and independent of meaning," so in the Mishnah, the formalization of thought into recurrent patterns is beneath the surface and independent of discrete meanings. Yet Mishnah imposes its own discipline, therefore its own deeper level of unitary meaning, upon everything and anything which actually is said.

So there are these two striking traits of mind reflected within Mishnaic rhetoric; first, the perception of order and balance; second, the perception of the mind's centrality in the construction of order and balance, that is, the imposition of wholeness upon discrete cases in the case of the routine declarative sentence and upon discrete phrases in the case of the apocopated one. Both order and balance are contained from within and are imposed from without. The relationships revealed by grammatical consistencies internal to a sentence and the implicit regularities revealed by the congruence and cogency of cases rarely are stated. But they always are to be discerned. Accordingly, the one thing which Mishnah invariably does not make explicit but which always is necessary to know is, I stress, the presence of the active intellect, the participant who is the hearer. It is the hearer who ultimately makes sense of, perceives the sense in, the Mishnah. Once more we are impressed by the Mishnah's expectation of sophistication and profound sensitivity to order and form on the part of its impalpable audience. Again we note that, to the Mishnah, the human mind imposes meaning and sense upon the world of sense perceptions.

In this sense the Mishnah serves both as a book of laws and as a book for learners, a law code and a schoolbook. But it is in this sense alone.

If the Mishnah is a law code, it is remarkably reticent about punishments for infractions of its rules. It rarely says what one must do or must not do, if he or she becomes unclean. The Mishnah hardly even alludes to punishments or rewards consequent upon disobedience or obedience to its laws. *Clean* and *unclean* rhetorically are the end of the story and generate little beyond themselves.

If the Mishnah serves as a schoolbook, it never informs us about its institutional setting, speaks of its teachers, sets clear-cut, perceptible, educational goals for its students, nor, above all, attempts to stand in relationship to some larger curriculum or educational and social structure. Its lack of context and unselfconscious framework of discourse hardly support the view that, in a this-worldly and ordinary sense, we have in our hands a law code or a schoolbook.

Nor is the Mishnah a corpus of "traditions," that is, true teachings which lay claim to authority or to meaning by virtue of the authorities cited therein. That is why the name of an authority rarely serves as a redactional fulcrum. It is also why the tense structure is ahistorical and antihistorical. Sequences of actions generally are stated other than in the descriptive present tense. Rules attain authority not because of who says them but because (it would seem) no specific party, at a specific time, stands behind them. The Mishnah, as I have emphasized, is descriptive of how things are. It is indifferent to who has said so, uninterested in the cumulative past behind what it has to say. These are not the traits of a corpus of "traditions." I am inclined to think that law code, schoolbook, and corpus of traditions all are not quite to the point of the accurate characterization of the Mishnah.

Yet, if not quite to the point, all nonetheless preserve a measure of proximate relevance to the definition of the Mishnah. The Mishnah does contain descriptive laws. These laws require the active participation of the mind of the hearer, thus are meant to be learned through reason, not merely obeyed as ritual, and self-evidently are so shaped as to impart lessons, not merely rules to be kept. The task of the hearer is not solely or primarily to obey, though I think obedience is taken for granted. The Mishnah calls one to participate in the process of discovering principles and uncovering patterns of meaning. The very form of the Mishnaic rhetoric, its formalization and function of that form—all testify to the role of the

learner and hearer, that is, the student, in the process of definitive and indicative description (not communication) of what *is*, and of what is real.

Self-evidently, the Mishnah's persistent citation of authorities makes explicit the claim that some men, now dead, have made their contribution and, therefore, have given shape and substance to tradition, that tradition which is shaped by one and handed onward by another. Choices were made: authorities made them. So the Mishnah indeed is, and therefore is meant as, a law code, a schoolbook, and a corpus of tradition. It follows that the purpose for which the Mishnah was edited into final form was to create such a multipurpose document, a tripartite goal attained in a single corpus of formed and formal sayings. And yet it is obvious that the Mishnah is something other than these three things in one. It transcends the three and accomplishes more than the triple goals which on the surface form the constitutive components of its purpose.

To describe that transcendent purpose and conclude this discussion, we turn to Wittgenstein's saying, "The limits of my language mean the limits of my world."

On the one side, the Mishnah's formulaic rhetoric imposes limits, boundaries, upon the world. What fits into that rhetoric and can be said by it constitutes world, world given shape and boundary by the Mishnah. The Mishnah implicitly maintains, therefore, that a wide range of things fall within the territory mapped out by a limited number of linguistic conventions, grammatical sentences. What is grammatical can be said and, therefore, constitutes part of the reality created by the Mishnaic word. What cannot be contained within the grammar of the sentence cannot be said and therefore falls outside the realm of the Mishnaic reality. The Mishnaic reality consists in those things which can attain order, balance, and principle. Chaos lies without.

On the other side, if we may extrapolate from the capacity of the impoverished repertoire of grammar before us to serve for all sorts of things, then we must concede that all things can be said by formal revision. Everything can be reformed, reduced to the order and balance and exquisite sense for the just match, characteristic of the Mishnaic pericope. Anything of which we wish to speak is susceptible to the ordering and patterning of the Mishnaic grammar and syntax. That is a fact which is implicit throughout the Mishnah. Accordingly, the territory mapped out by the Mishnaic language encompasses the whole of the pertinent world under discussion. There are no thematic limitations of the Mishnaic formalized speech.

Clearly, the Mishnaic language is formulated in a disciplined and systematic way. We therefore must now ask how the language of the Mishnah adumbrates the character and concerns of the Mishnah's substantive ideas, its religious world view and the way of life formulated to express that world view. For I maintain that the document before us constitutes much more than an ancient rule book of no special interest or humanistic value which happens to have survived. The Mishnah is, rather, a book deliberately formed for the very group—Israel—and purpose which, for nearly nineteen centuries, it indeed has served. So the language just now described, as much as the system awaiting description, has to be asked to testify to the meaning and purpose of the whole.

The "Judaism" expressed by the Mishnah not only speaks about values. Its mode of speech—the way it speaks, not only what it says—is testimony to its highest and most enduring, distinctive value. Now let us take note. This language does not speak of sacred symbols but of pots and pans, of menstruation and dead creeping things; of ordinary water which, because of the circumstance of its collection and location, possesses extraordinary power; of the commonplace corpse and ubiquitous diseased person; of genitalia and excrement, toilet seats, and the flux of penises; of stems of pomegranates and stalks of leeks; of rain and earth and wood, metal, glass, and hide. This language is filled with words for neutral things of humble existence. It does not speak of holy things and is not symbolic in its substance. This language speaks of ordinary things, of things which everyone must have known. But because of the peculiar and particular way in which it is formed and formalized, this same language not only adheres to an aesthetic theory but expresses a deeply embedded ontology and methodology of the sacred, specifically of the sacred within the secular, and of the capacity for regulation, therefore for sanctification, within the

ordinary: All things in order, all things then hallowed by God who orders all things, so said the priests' creation tale.

To conclude: world view and ethos are synthesized in language. The synthesis is expressed in grammatical and syntactical regularities. What is woven into some sort of ordered whole is not a cluster of sacred symbols. The religious system is not discerned through such symbols at all. Knowledge of the conditions of life is imparted principally through description of the commonplace facts of life, which symbolize, stand for, nothing beyond themselves and their consequences, for example, for the clean and the unclean or liability on and exemption from liability. That description is effected through the construction of units of meaning, intermediate divisions composed of cognitive elements. All is balanced, explicit in detail, but reticent about the whole; balanced in detail but dumb about the character of the balance. What is not said is what is eloquent and compelling as much as what is said. Accordingly, that simple and fundamental congruence between ethos and world view is to begin with, for the Mishnah, the very language by which the one is given cognitive expression in the other. The medium of patterned speech conveys the meaning of what is said.

#### System: The Mishnah's Principal Topics. The Mishnah as a Statement of a World View

By "Judaism" I mean a world view and way of life formed by a group of people who regard themselves, and are properly regarded by others, as Israelites, in which the life of the group is both defined and explained within the framework of Israel's holiness. By this definition, there have been diverse forms or kinds of Judaism. But from the time of the Mishnah onward, most of these kinds have referred not only to Scripture but also to the Mishnah and its companions, the two Talmuds and cognate writings. So these *Diverse kinds* have formed exemplifications of a single, fundamental kind of Judaism. If, therefore, we wish to make sense of nearly all religious expressions of "being Jewish" and nearly all types of Judaism from the second century to the twentieth, we must begin with the Mishnah (though, obviously, we must not end there).

Now the Judaism shaped by the Mishnah consists of a coherent world view and comprehensive way of living. It is a world view which speaks of transcendent things, a way of life in response to the supernatural meaning of what is done, a heightened and deepened perception of the sanctification of Israel in deed and in deliberation. Sanctification means two things: first, distinguishing Israel in all its dimensions from the world in all its ways; second, establishing the stability, order, regularity, predictability, and reliability of Israel at moments and in contexts of danger. Danger means instability, disorder, irregularity, uncertainty, and betrayal. Each topic of the system as a whole takes up a critical and indispensable moment or context of social being. Each orders what is disorderly and dangerous. Through what is said in regard to each of the Mishnah's principal topics, what the system as a whole wishes to declare is fully expressed. Yet if the parts severally and jointly give the message of the whole, the whole cannot exist without all of the parts, so well joined and carefully crafted are they all.

Let me now describe and briefly interpret the six components of the Mishnah's system. The critical issue in the economic life, which means, in farming, is in two parts, revealed in the first division. First, Israel, as tenant on God's holy Land, maintains the property in the ways God requires, keeping the rules which mark the Land and its crops as holy. Next, the hour at which the sanctification of the Land comes to form a critical mass, namely, in the ripened crops, is the moment ponderous with danger and heightened holiness. Israel's will so affects the crops as to mark a part of them as holy, the rest of them as available for common use. The human will is determinative in the process of sanctification.

Second, in the second division, what happens in the Land at certain times, at Appointed Times, marks off spaces of the Land as holy in yet another way. The center of the Land and the focus of its sanctification is the Temple. There the produce of the Land is received and given back to God, the one who created and sanctified the Land. At these unusual moments of sanctification, the inhabitants of the Land in their social being in villages enter a state of spatial sanctification. That is to say, the village

boundaries mark off holy space, within which one must remain during the holy time. This is expressed in two ways. First, the Temple itself observes and expresses the special, recurring holy time. Second, the villages of the Land are brought into alignment with the Temple, forming a complement and completion to the Temple's sacred being. The advent of the Appointed Times precipitates a spatial reordering of the Land, so that the boundaries of the sacred are matched and mirrored in village and in Temple. In the heightened holiness marked by these moments of Appointed Times, therefore, the occasion for sanctification is worked out. Like the harvest, the advent of an appointed time, a pilgrim festival, also a sacred season, is made to express that regular, orderly, and predictable sort of sanctification for Israel which the system as a whole seeks.

If for a moment we now leap over the third and fourth divisions, we come to the counterparts of the divisions of Agriculture and Appointed Times. These are the fifth and sixth divisions, namely Holy Things and Purities, those which deal with the everyday and the ordinary, as against the special moments of harvest, on the one side, and special time or season, on the other.

The fifth division is about the Temple on ordinary days. The Temple, the locus of sanctification, is conducted in a wholly routine and trustworthy, punctilious manner. The one thing which may unsettle matters is the intention and will of the human actor. This is subjected to carefully prescribed limitations and remedies. The division of Holy Things generates its companion, the sixth division, the one on cultic cleanness, Purities. The relationship between the two is like that between Agriculture and Appointed Times, the former locative, the latter utopian, the former dealing with the fields, the latter with the interplay between fields and altar.

Here too, in the sixth division, once we speak of the one place of the Temple, we address, too, the cleanness which pertains to every place. A system of cleanness, taking into account what imparts uncleanness and how this is done, what is subject to uncleanness, and how that state is overcome—that system is fully expressed, once more, in response to the participation of the human will. Without the wish and act of a human being, the system does not function. It is inert. Sources of uncleanness, which come naturally and not by volition, and modes of purification, which work naturally, and not by human intervention, remain inert until human will has imparted susceptibility to uncleanness, that is, introduced into the system, that food and drink, bed, pot, chair, and pan, which to begin with form the focus of the system. The movement from sanctification to uncleanness takes place when human will and work precipitate it.

This now brings us back to the middle divisions, the third and fourth, on Women and Damages. They take their place in the structure of the whole by showing the congruence, within the larger framework of regularity and order, of human concerns of family and farm, politics and workaday transactions among ordinary people. For without attending to these matters, the Mishnah's system does not encompass what, at its foundations, it is meant to comprehend and order. So what is at issue is fully cogent with the rest.

In the case of Women, the third division, attention focuses upon the point of disorder marked by the transfer of that disordering anomaly, woman, from the regular status provided by one man, to the equally trustworthy status provided by another. That is the point at which the Mishnah's interests are aroused: once more, predictably, the moment of disorder.

In the case of Damages, the fourth division, there are two important concerns. First, there is the paramount interest in preventing, so far as possible, the disorderly rise of one person and fall of another, and in sustaining the status quo of the economy, the house and household, of Israel, the holy society in eternal stasis. Second, there is the necessary concomitant in the provision of a system of political institutions to carry out the laws which preserve the balance and steady state of persons.

The two divisions which take up topics of concrete and material concern, the formation and dissolution of families and the transfer of property in that connection, the transactions, both through torts and through commerce, which lead to exchanges of property and the potential dislocation of the state of families in society, are both locative and utopian. They deal with the concrete locations in which people make their lives, household and street and field, the sexual and commercial exchanges of a given village. But they pertain to the life of all Israel, both in the Land and otherwise. These two divisions, together with

the household ones of Appointed Times, constitute the sole opening outward toward the life of utopian Israel, that diaspora in the far reaches of the ancient world, in the endless span of time. This utopian community from the Mishnah's perspective is not only in exile but unaccounted for, outside the system, for the Mishnah declines to recognize and take it into account. Israelites who dwell in the land of (unclean) death instead of in the Land simply fall outside of the range of (holy) life. Priests, who must remain cultically clean, may not leave the Land—and neither may most of the Mishnah.

Now if we ask ourselves about the sponsorship and source of special interest in the topics just reviewed, we shall come up with obvious answers.

So far as the Mishnah is a document about the holiness of Israel in its Land, it expresses that conception of sanctification and theory of its modes which will have been shaped among those to whom the Temple and its technology of joining Heaven and holy Land through the sacred place defined the core of being, I mean, the caste of the priests.

So far as the Mishnah takes up the way in which transactions are conducted among ordinary folk and takes the position that it is through documents that transactions are embodied and expressed (surely the position of the relevant tractates on both Women and Damages), the Mishnah expresses what is self-evident to scribes. Just as, to the priest, there is a correspondence between the table of the Lord in the Temple and the locus of the divinity in the heavens, so, to the scribe, there is a correspondence between the documentary expression of the human will on earth, in writs of all sorts, in the orderly provision of courts for the predictable and just disposition of exchanges of persons and property, and Heaven's judgment on these same matters. When a woman becomes sanctified to a particular man on earth, through the appropriate document governing the transfer of her person and property, in heaven as well, the woman is deemed truly sanctified to that man. A violation of the writ therefore is not merely a crime. It is a sin. That is why the Temple rite involving the wife accused of adultery is integral to the system of the division of Women. So there are scribal divisions, the third and fourth, and priestly divisions, the first, fifth, and sixth; the second is then shared.

These two social groups, the priestly caste and the scribal profession, are not categorically symmetrical. But for both groups the Mishnah makes self-evident statements. We know, moreover, that in time to come, the scribal profession would become a focus of sanctification. The scribe would be transformed into the "rabbi," honored man par excellence, locus of the holy through what he knew, just as the priest had been and would remain locus of the holy through what he could claim for genealogy. The divisions of special interest to scribes-become-rabbis and to their governance of Israelite society, those of Women and Damages, together with certain others particularly relevant to utopian Israel beyond the system of the Land—those tractates would grow and grow. Many, though not all, of the others would remain essentially as they were with the closure of the Mishnah. So we must notice that the Mishnah, for its part, speaks for the program of topics important to the priests. It takes up the persona of the scribes, speaking through their voice and in their manner.

At this point much has been said about priests in general. The reader familiar with the New Testament will wonder about a particular type of priest or lay person pretending to be a priest, namely, the Pharisee. Two matters require some attention. First, we want to ask what we learn about the Pharisees from the Mishnah. Second, we inquire about the relationship of the Pharisees to the Mishnah. As to the Pharisees as a group in the various groups of pietists in Judaism before A.D. 70, there are diverse references, difficult to square with one another. The one set of references pertinent to the materials before us is those in the Gospels, in which the Pharisees are represented as a group which emphasized certain ("external") religious practices, involving distinctive views on the resurrection of the dead, on strict observance of the Sabbath, and on careful tithing of agricultural produce and eating food in a state of purity generally associated only with the Temple cult. Now so far as the Mishnah takes for granted that Jews must strictly observe the Sabbath in a certain way, carefully tithe the agricultural produce they eat, and preserve a state of cultic or Levitical cleanness (that is, observe the curious taboos of Leviticus Chapters Eleven through Fifteen when eating their food at home, not merely meat deriving from animals barbecued in the Temple), it certainly accords with views attributed to Pharisees. On the other hand, the Mishnah rarely refers to the

Pharisees. When it does, it does not represent them as its definitive authorities. Sages, not Pharisees, are the Mishnah's authorities. A few of the Mishnah's authorities, particularly Gamaliel and Simeon b. Gamaliel, are known from independent sources to have been Pharisees; Paul tells us about Gamaliel, and Josephus about Simeon b. Gamaliel. But that is the sum and substance of it. Consequently, to assign the whole of the Mishnah to the Pharisees who flourished before A.D. 70 and who are known to us from diverse sources, all of them composed in the form in which we know them after A.D. 70, is hardly justified. We learn little about the Pharisees from the Mishnah, except in the handful of sayings referring to them (Hag. 2:47; Sot. 3:4; Ton. 4:12; and Yad. 4:6–8), or assigned to people who we have good reason to believe were Pharisees.

As to the relationship of the Pharisees to the Mishnah, we learn somewhat more. For the Mishnah contains a great many principles and propositions which can be shown to go back to the period before A.D. 70. Some of the most striking and important of these principles, those in the divisions on Agriculture and Purities in particular, but also a few in the divisions on Appointed Times and Women, may be shown to serve sectarian, and not general or societal, interests. It would carry us far afield to specify what these propositions are and why they evidently speak out of a sectarian context. The main point should not be missed. When we speak about the Pharisees, we speak about Jews who thought among other things that when they ate their meals at home, they should do so in the way, in general, in which the priests eat their meals of meat, meal, and wine, supplied from the leftovers of God's meal on the altar of the Temple in Jerusalem. So some of them were priests who pretended that their homes were little Temples. And, it seems reasonable to suppose, others of them were lay people pretending to be priests and engaged in the same fantasy. When in these pages we speak of priests, these are the particular priests whose viewpoint will be expressed in those parts of the document which lay stress upon eating at home as if one is in the Temple.

But this too requires qualification. First, Pharisees were not the only Jews who had a special interest in the cultic cleanness of their food. The Essene community at Qumram also maintained that its food was in a state of cultic cleanness, as if it were prepared on the altar of God in the holy Temple. Consequently, we cannot take for granted that when a saying indicates the conviction that ordinary food must be kept pure as if it were the Lord's food in the Temple, that saying must derive from a Pharisee and from no other sect, group, or source. That simply is not so.

Second, there are many other parts of the document in which interests of all priests are at hand. For instance, there is the whole of the fifth division, Holy Things. In vast stretches of the first division, Agriculture, in which the separation of tithes and heave offering as the priestly ration is described, all priests are equally represented. No one had to be a Pharisee in particular to take up these matters. Any priest who cared about his income (either at the present time or in the time in which the Mishnah's law would everywhere prevail) would take these same matters to heart. So the Mishnah is very much a priestly document. It may also be a document reflecting in some measure the partisan interests of a certain kind of priests (and associated lay people). But it cannot be called a document only or mainly of this second group. Its social constituency, as I said, included a large cohort of priests interested in their income and emoluments. Some of these may have regarded as important those special matters stressed in parts of the sixth division, but all of them will have cared about the laws of the first, second, fifth, and the bulk of the sixth divisions as well.

This brief statement of the substance of the Mishnah's system and the evident caste and professional sponsorship of the Mishnah once more brings us to the question of how people in our own time may profitably consult the contents of this document from long ago and far away. The sages of the late first and second centuries produced a document to contain the most important things they could specify, they chose as their subjects six matters, of which, I am inclined to think, for the same purpose we should have rejected at least four, and probably all six. That is, four of the divisions of the Mishnah are devoted to purity law, tithing, laws for the conduct of sacrifice in the Temple cult, and the way in which the sacrifices are carried out at festivals—four areas of reality which, I suspect, would not have found a high place on a list of our own most fundamental concerns. The other two divisions, which deal with the

transfer of women from one man to another and with matters of civil law—including the organization of the government, civil claims, torts, and damages, real estate and the like—complete the list. When we attempt to interpret the sort of world the rabbis of the Mishnah propose to create, at the very outset we realize that that world in no way conforms, in its most profound and definitive categories of organization, to our own. It follows that the critical work of making sense and use of the Mishnah is to learn how to hear what the Mishnah wishes to say in its own setting and to the people addressed by those who made it up. For that purpose it is altogether too easy to bring our questions and take for granted that, when the sages seem to say something relevant to our questions, they therefore propose to speak to us. Anachronism takes many forms. The most dangerous appears when an ancient text seems readily accessible and immediately clear.

For the Mishnah is separated from us by the whole of western history, philosophy, and science. Its wise sayings, its law, and its theology may lie in the background of the law and lore of contemporary Judaism. But they have been mediated to us by many centuries of exegesis, not to mention experience. They come to us now in the form which theologians and scholars have imposed upon them. It follows that the critical problem is to recognize the distance between us and the Mishnah. Our task is to allow strange people to speak in a strange language about things quite alien to us, and yet learn how to hear what they are saying. That is, we have to learn how to understand them in their language and in their terms. Once we recognize that they are fundamentally different from us, we have also to lay claim to them, or, rather, acknowledge their claim upon us.

As I shall argue at the end, what makes the Mishnah important is that it supplies us with another, particularly full and well-organized, corpus of e.g.'s, that is, examples of how people did one thing and not some other, problems for interpretation, by one theory or another, of why people did one thing and not some other. The Mishnah captures a whole vision of a complete world. It describes the house and household of Israel, an architect's plan in tedious detail, as useful plans must be. Because the Mishnah does not generalize, it allows us to look for what is general in all of its particularities. Because of its tiresome babble about details, the Mishnah permits us to try and test our theories of the whole. But in saying so, I have moved beyond my story. Let us now turn to another side of context, not the one of synchronic history, nor the one of language and culture, but the Mishnah's diachronic setting in Israelite revelation: the Mishnah and God's word in the revelation of the Torah to Moses at Mount Sinai.

#### Heritage: Mishnah and Scripture. The Open Canon of Judaism

To this point in the discussion, the reader must imagine that the Mishnah falls into the category of documents found in a desert cave, produced by a nascent group with no past at all, a document like the Pentateuch, addressed to a mixed multitude of a no-people. For up to now I have introduced the Mishnah as if it stood only at the head of a long line of Israelite religion and law, not at the end of one. That, of course, is not so. Every significant creation in ancient Israel from the formation of the Hebrew Scriptures and conclusion of the canon onward necessarily forms a response to the Torah. This Torah is the revelation of God to Moses on Mount Sinai, contained in the Pentateuch, as well as the other biblical books, known to Israel all together as *Tanakh* (for *Torah, Nebiim, Ketubim*, that is, Torah, prophets, writings), and to Christendom as the *Old Testament*. For each such fresh creation is inevitably a reworking of available materials of revelation. Each, therefore, either claims for itself a place within the canon defined by the Israelite Scriptures. Or it deliberately excludes itself and seeks a place outside of, but in relationship to, that same canon. Consequently, at the end of this introduction to the document before us, we have to ask about the relationship between the Mishnah and the Holy Scriptures which define and frame the Israelite world—world view, way of life—to which the framers of the Mishnah addressed themselves and within which they too took shape.

On the surface, Scripture plays little role in the Mishnaic system. The Mishnah rarely cites a verse of Scripture, refers to Scripture as an entity, links its own ideas to those of Scripture, or lays claim to

originate in what Scripture has said, even by indirect or remote allusion to a Scriptural verse of teaching. So, superficially, the Mishnah is totally indifferent to Scripture. That impression, moreover, is reinforced by the traits of the language of the Mishnah. The framers of the Mishnaic discourse, amazingly, never attempt to imitate the language of Scripture, as do those of the Essene writings at Qumram. The very redactional structure of Scripture, found too serviceable to the writer of the Temple scroll, remarkably, is of no interest whatever to the organizers of the Mishnah and its tractates, except in a very few cases (Leviticus 16; Yoma; Exodus 12; Pesahim).

I wish now to dwell on these facts. Formally, redactionally, and linguistically the Mishnah stands in splendid isolation from Scripture. It is not possible to point to many parallels, that is, cases of anonymous books, received as holy, in which the forms and formulations (specific verses) of Scripture play so slight a role. People who wrote holy books commonly imitated the Scripture's language. They cited concrete verses. They claimed at the very least that direct revelation had come to them, as in the angelic discourses of IV Ezra and Baruch, so that what they say stands on an equal plane with Scripture. The internal evidence of the Mishnah's sixty-two usable tractates (excluding Abot), by contrast, in no way suggests that anyone pretended to talk like Moses and write like Moses, claimed to cite and correctly interpret things that Moses had said, or even alleged to have had a revelation like that of Moses and so to stand on the mountain with Moses. There is none of this. So the claim of Scriptural authority for the Mishnah's doctrines and institutions is difficult to locate within the internal evidence of the Mishnah itself.

We cannot be surprised that, in consequence of this amazing position of autonomous, autocephalic authority implicit in the character of Mishnaic discourse, the Mishnah should forthwith have demanded in its own behalf some sort of apologetic. Nor are we surprised that the Mishnah attracted its share of quite hostile criticism. The issue, in the third century, would be this: Why should we listen to this mostly anonymous document, which makes statements on the nature of institutions and social conduct, statements we obviously are expected to keep? Who are Meir, Yose, Judah, Simeon, and Eleazar—people who from the perspective of the third-century recipients of the document, lived fifty or a hundred years ago—that we should listen to what they have to say? God revealed the Torah. Is this Mishnah too part of the Torah? If so, how? What, in other words, is the relationship of the Mishnah to Scripture, and how does the Mishnah claim authority over us such as we accord to the revelation to Moses by God on Mount Sinai? There are two important responses to the question of the place of Scripture in the Mishnaic tradition.

First and most radical: the Mishnah constitutes *torah*. It too is a statement of revelation, "Torah revealed to Moses at Sinai." But this part of revelation has come down in a form different from the well-known., written part, the Scripture. This tradition truly deserves the name "tradition," because for a long time it was handed down orally, not in writing, until given the written formulation now before us in the Mishnah. This sort of apologetic for the Mishnah appears, to begin with, in Abot, with its stunning opening chapter, linking Moses on Sinai through the ages to the earliest-named authorities of the Mishnah itself, the five pairs, on down to Shammai and Hillel. Since some of the named authorities in the chain of tradition appear throughout the materials of the Mishnah, the claim is that what these people say comes to them from Sinai through the processes of *qabbalah and massoret*—handing down, "traditioning."

So the reason (from the perspective of the Torah-myth of the Mishnah) that the Mishnah does not cite Scripture is that it does not *have* to. It stands on the same plane as Scripture. It enjoys the same authority as Scripture. This radical position is still more extreme than that taken by pseudepigraphic writers, who imitate the style of Scripture, or who claim to speak within that same gift of revelation as Moses. It is one thing to say one's holy book is Scripture because it is like Scripture, or to claim that the author of the holy book has a revelation independent of that of Moses. These two positions concede to the Torah of Moses priority over their own holy books. The Mishnah's apologists make no such concession, when they allege that the Mishnah is part of the Torah of Moses. They appeal to the highest possible authority to the Israelite framework, claiming the most one can claim in behalf of the book which, in fact, bears the names of men who lived fifty years before the apologists themselves. That seems to me remarkable courage. Then there is this matter of the Mishnah's not citing Scripture. When we consider the rich corpus of allusions to Scripture in other holy books, both those bearing the names of authors and those presented anonymously, we realize that the Mishnah claims its authority to be coequal with that of Scripture. Many other holy books are made to lay claim to authority only because they depend upon the authority of Scripture and state the true meaning of Scripture. That fact brings us to the second answer to the question of the place of Scripture in the Mishnaic tradition.

The earliest exegetical strata of the two Talmuds and the legal-exegetical writings produced in the two hundred years after the closure of the Mishnah take the position that the Mishnah is wholly dependent upon Scripture. Whatever is of worth in the Mishnah can be shown to derive directly from Scripture. So the Mishnah—"tradition"—is deemed distinct from, and subordinate to, Scripture. This position is expressed in an obvious way. Once the Talmuds cite a Mishnah-pericope, they commonly ask, "What is the source of these words?" And the answer invariably is, "As it is said in Scripture." This constitutes not simply a powerful defense for the revealed truth of the Mishnah. For when the exegetes find themselves constrained to add proof texts, they admit the need to improve and correct an existing flaw.

That the search for the Scriptural bases for the Mishnah's laws constitutes both an apologetic and a criticism is shown in the character of a correlative response to the Mishnah, namely, the Sifra and its exegesis of Leviticus. The Sifra is a commentary on the Book of Leviticus, citing the same authorities as appear in the Mishnah itself. But the fundamental structure of the Sifra derives from the period after the Mishnah had taken shape, since the Sifra is a polemical document. The polemic is against the failure of the Mishnah to cite Scripture frequently or systematically to link its ideas to Scripture through the medium of formal demonstration by exegesis. This polemic is expressed over and over again. The Sifra's rhetorical exegesis follows a standard syntactical-redactional form. Scripture will be cited. Then a statement will be made about its meaning, or a statement of law correlative to that Scripture will be given. Commonly, that statement cites the Mishnah, often verbatim. Finally, the author of Sifra invariably states, Now is that not (merely) logical? And the point of that statement will be, Can this position not be gained through the working of mere logic, based upon facts supplied (to be sure) by Scripture? The polemical power of Sifra lies in its repetitive demonstration that the stated position, citation of a Mishnah pericope, is not only *not* the product of logic, but is, and can be only, the product of exegesis of Scripture.

What is still more to the point, is that exegesis in Sifra's and the Talmud's view is formal in its character. That is, it is based upon some established mode of exegesis of the formal traits of Scriptural grammar and syntax, assigned to the remote antiquity represented by the names of Ishmael or Aqiba. So the polemic of Sifra and the Talmuds is against the position that, first, what the Mishnah says (in the Mishnah's own words) is merely logical; and that, second, the position taken by the Mishnah can have been reached in any way other than through grammatical-syntactical exegesis of Scripture. That other way, the way of reading the Scripture through philosophical logic or practical reason, is explicitly rejected time and again. Philosophical logic and applied reason are inadequate. Formal exegesis is shown to be not only adequate but necessary, indeed inexorable. It follows that Sifra undertakes to demonstrate precisely what the framers of the opening pericopes of the Talmud's treatment of the Mishnah's successive units of thought also wish to show. The Mishnah is not autonomous. It is not independent. It is not correlative, that is, separate but equal. It is contingent, secondary, derivative, resting wholly on the foundations of the (written) revelation of God to Moses on Mount Sinai. Therein, too, lies the authority of the Mishnah as tradition.

So, there are two positions which would rapidly take shape when the Mishnah was published.

First, tradition in the form of the Mishnah is deemed autonomous of Scripture and enjoys the same authority as that of Scripture. The reason is that Scripture and ("oral") tradition are merely two media for conveying a single corpus of revealed law and doctrine.

Second, tradition in the form of the Mishnah is true because it is not autonomous of Scripture. Tradition is secondary and dependent upon Scripture.

The authority of the Mishnah is the authority of Moses. That authority comes to the Mishnah directly and in an unmediated way, because the Mishnah's words were said by God to Moses on Mount Sinai and faithfully transmitted through a process of oral formulation and oral transmission from that time until those words were written down by Judah the Patriarch at the end of the second century.

*Or*, that authority comes to the Mishnah indirectly, in a way mediated through the written Scriptures.

What the Mishnah says is what the Scripture says, rightly interpreted. The authority of tradition lies in its correct interpretation of the Scripture. Tradition bears no autonomous authority, is not an independent entity, and correlative with Scripture. A very elaborate (and insufferably dull) technology of exegesis of grammar and syntax is needed to build the bridge between tradition as contained in the Mishnah and Scripture, the original utensil shaped by God and revealed to Moses to convey the truth of revelation to the community of Israel.

Or matters are otherwise. I hardly need to make them explicit.

Let me now state the facts of the relationship of the Mishnah to Scripture, beyond the picture of the third-century apologist-critics of the Mishnah.

First, there are tractates which simply repeat in their own words precisely what Scripture has to say, and at best serve to amplify and complete the basic ideas of Scripture. For example, all of the cultic tractates of the second division, the one on Appointed Times, which tell what one is supposed to do in the Temple on the various special days of the year, and the bulk of the cultic tractates of the fifth division, which deals with Holy Things, simply restate facts of Scripture. For another example, all of those tractates of the sixth division, on Purities, which specify sources of uncleanness, depend completely on information supplied by Scripture. I have demonstrated in detail that every important statement in Niddah, on menstrual uncleanness, and the most fundamental notions of *Zabim*, on the uncleanness of the person with flux referred to in Leviticus Chapter Fifteen, as well as every detail in Negaim, on the uncleanness of the person or house suffering the uncleanness described at Leviticus Chapters Thirteen and Fourteen—all of these tractates serve only to restate the basic facts of Scripture and to complement those facts with other important ones.

There are, second, tractates which take up facts of Scripture but work them out in a way in which those Scriptural facts cannot have led us to predict. A supposition concerning what is important *about* the facts, utterly remote from the supposition of Scripture, will explain why the Mishnah tractates under discussion say the original things they say in confronting those Scripturally provided facts. For one example, Scripture takes for granted that the red cow will be burned in a state of uncleanness, because it is burned outside the camp—Temple. The priestly writers cannot have imagined that a state of cultic cleanness was to be attained outside of the cult. The absolute datum of tractate Parah, by contrast, is that cultic cleanness not only can be attained outside of the 'tent of meeting.' The red cow was to be burned in a state of cleanness even exceeding that cultic cleanness required in the Temple itself. The problematic which generates the intellectual agendum of Parah, therefore, is how to work out the conduct of the rite of burning the cow in relationship to the Temple: Is it to be done in exactly the same way, or in exactly the opposite way? This mode of contrastive and analogical thinking helps us to understand the generative problematic of such tractates as Erubin and Besah from the second division, to mention only two.

Third, there are, predictably, many tractates which either take up problems in no way suggested by Scripture, or begin from facts at best merely relevant to facts of Scripture. In the former category are Tohorot, on the cleanness of foods, with its companion, Uqsin; Demai, on doubtfully tithed produce; Tamid, on the conduct of the daily whole offering; Baba Batra, on rules of real estate transactions and certain other commercial and property relationships; and so on. In the latter category are Ohalot, which spins out its strange problems within the theory that a tent and a utensil are to be compared to one another (!); Kelim, on the susceptibility to uncleanness of various sorts of utensils; Miqvaot, on the sorts of water which effect purification from uncleanness; Ketubot and Gittin, on the documents of marriage and divorce; and many others. These tractates draw on facts of Scripture. But the problem confronted in these tractates in no way responds to problems important to Scripture. What we have here is a prior program of inquiry, which will make ample provision for facts of Scripture in an inquiry, to begin with, generated essentially outside the framework of Scripture. First comes the problem or topic, then, if possible, comes attention to Scripture.

So there we have it: some tractates merely repeat what we find in Scripture. Some are totally independent of Scripture. And some fall in between. Clearly, we are no closer to a definitive answer to the question of the relationship of Scripture to the Mishnah than we were when we described the state of thought on the very same questions in the third and fourth centuries. We find everything and its opposite. But to offer a final answer to the question of Scripture-Mishnah relationships, we have to take that fact seriously. The Mishnah in no way is so remote from Scripture as its formal omission of citations of verses of Scripture suggests. In no way can it be described as contingent upon, and secondary to Scripture, as many of its third-century apologists claimed. But the right answer is not that it is somewhere in between. Scripture confronts the framers of the Mishnah as revelation, not merely as a source of facts. But the framework and fellowship of their own age and generation. They were bound, therefore, to come to Scripture with a set of questions generated other than in Scripture. They brought their own ideas about what was going to be important in Scripture. This is perfectly natural.

The philosophers of the Mishnah conceded to Scripture the highest authority. At the same time what they chose to hear, within the authoritative statements of Scripture, would in the end form a statement of its own. To state matters simply: all of Scripture is authoritative. But only some of Scripture is relevant. And what happened is that the framers and philosophers of the tradition of the Mishnah came to Scripture when they had reason to. That is to say, they brought to Scripture a program of questions and inquiries framed essentially among themselves. So they were highly selective. That is why their program itself constituted a statement *upon* the meaning of Scripture. They and their apologists of one sort hastened to add, their program consisted of a statement *of* and upon the meaning of Scripture.

In part, we must affirm the truth of that claim. When the framers of the Mishnah speak about the priestly passages of the Mosaic law codes, with deep insight they perceive profound layers of meaning embedded ("to begin with") in those codes. What they have done with the Priestly Code (P), moreover, they also have done, though I think less coherently, with the bulk of the Deuteronomic laws and with some of those of the Covenant Code. But their exceptical triumph—exceptical, not merely eisegetical—lies in their handling of the complex corpus of materials of the Priestly Code.

True, others will have selected totally different passages of Scripture, not in the Mosaic codes to begin with. Prophecy makes its impact on the holy books of other Israelites of the same ancient times, as, for instance, Q. Matthew, and Mark. Surely we must concede that, in reading those passages, other writers, interested in history and salvation, displayed that same perspicacity as did the framers of the Mishnaic tradition who interpreted the priestly code as they did and so formed a theory of Israel's sanctification. It is in the nature of Scripture itself that such should be the case. The same Scripture which gives us the prophets gives us the Pentateuch as well—and gives priority to the Pentateuchal codes as the revelation of God to Moses.

#### Now to the Mishnah: What to Seek

In introducing the reader to the Mishnah, I wish to make possible a protracted acquaintance, a long friendship, even though, as I have stressed, it is between people essentially and profoundly alien to one another. What joins the ages is not only our interest in their world.

First, it also is our interest in any encompassing and important statement of how humankind might in imagination create a world. The Mishnah is a specimen of Utopia. That is why what we find in the Mishnah is more than insight into the world created within one kind of Judaism in the formative centuries of our own Western civilization.

Second, in the Mishnah contemporary humanists may gain a more ample account of a tiny part of the potentialities of humanity: that part expressed within the Judaic tradition in its rabbinical formulation. When we find out what it is that the Mishnaic system contains within itself, we discover yet another mode for the measure of humankind. The human potentialities and available choices within one ecological

frame of humanity, the ancient Jewish one, are defined and explored by the sages. The same question the possibilities contained within the culture of ancient Judaism—is to be addressed to the diverse formations and structures, at other times in its history besides that of late antiquity. But we have to learn how to do the work in some one place, and only then shall we have a call to attempt it elsewhere. What we must do is first describe, then interpret.

But what do we wish to describe? I am inclined to think the task is to encompass everything deemed important by some one group, to include within, and to exclude from, its holy book, its definitive text. We wish to make sense of a system and its exclusions, its stance in a taxonomy of systems. For, on the surface, what sages put in they think essential, and what they omit they do not think important. If that is self-evident, then the affirmative choices are the ones requiring description and then interpretation. But what standpoint will permit us to fasten onto the whole, and where is the fulcrum on which to place our lever? For, given the size of the evidence, the work of description may leave us with an immense, and essentially pointless, task of repetition: saying in our own words what the sources say, perfectly clearly, in theirs.

So when I say that a large part of work is to describe the world view of the sages of the Mishnah, at best I acquire a license to hunt for insight. What defines the work as well as I am able, is what has run through this introduction to the Mishnah: the idea of a system. That is, a whole set of interrelated concerns and conceptions which, all together, both express a world view and define a way of living for a particular group of people in a particular economic and political setting. The Mishnah brings to the surface the integrated conception of the world and of the way in which the people should live in that world. All in all, that system both defines and forms reality for Jews responsive to the sages of the Mishnah.

Now, self-evidently, all worth knowing about the sages and the Jews around them is not contained within their system, that is, the Mishnah, as they lay it out. There is, after all, the hard fact that the Jews did not have power fully to shape the world within which they lived out their lives and formed their social group. No one else did either. There were, indeed, certain persistent and immutable facts which form the natural environment, the material ecology for their system. These facts do not change but do have to be confronted. There are, for instance, the twin facts of Jewish powerlessness and minority status. Any system produced by Judaism for nearly the whole of its history will have to take account of the fact that the group is of no account in the world, a pariah-people. Another definitive fact is the antecedent heritage of Scripture and associated tradition, which define for the Jews a considerably more important role in the supernatural world than the natural world obviously affords them. Israel is God's first love, not Rome's last victim. These two facts, the Jews' numerical insignificance and political unimportance and the Jews' inherited pretensions and fantasies about their own centrality in the history and destiny of the human race, created (and still create) a certain dissonance between any given Jewish world view, on the one side, and the world to be viewed by the Jews, on the other. And so is the case for the Mishnah.

But we cannot take for granted that what we think should define the central tension of a given system in fact is what concerns the people who created and expressed that system. If we have no way of showing that our surmise may be wrong, then we also have no basis on which to verify our thesis as to the core and meaning of the system before us. The result can be at best good guesses. A mode for interpreting the issues of a system has therefore to be proposed.

One route to the interpretation of a system is to specify the sorts of issues it chooses to regard as problems, the matters it chooses for its close and continuing exegesis, *our* exegesis of the canon of topics. When we know the things about which people worry, we have some insight into the way in which they see the world. So, when we approach the Mishnah, we ask about its critical tensions, the recurring issues which occupy its great minds. It is out of concern with this range of issues, and not some other, that the Mishnah defines its principal areas for discussion. Here is the point at which the great exercises of law and theology will be generated here and not somewhere else. This is a way in which we specify the choices people have made, the selections a system has effected. When we know what people have chosen, we also may speculate about the things they have rejected, the issues they regard as uninteresting or as

closed. We then may describe the realm of thought and everyday life which they do not deem subject to tension and speculation. It is these two sides to this vast document—the things people conceive to be dangerous and important, the things they set into the background as unimportant and uninteresting—which provide us with a key to the culture of community or, as I prefer to put it, to the system constructed and expressed by a given social group. That is the sort of information and insight available in the pages of this book, but only if you look for it. Let Tarfon speak to the reader: Yours is not to complete the work. Yours is not to abandon it either.

# The First Division Agriculture

# BERAKHOT Tzvee Zahavy and Alan J. Avery-Peck

- **1:1** A From what time may they recite the *Shema* in the evening?
  - B From the hour that the priests enter [their homes] to eat their heave offering,
  - C "until the end of the first watch"—
  - D the words of R. Eliezer.
  - E But sages say, "Until midnight."
  - F Rabban Gamaliel says, "Until the rise of dawn."
  - G *M'SH Š*: His [Gamaliel's] sons returned from a banquet hall [after midnight].
  - H They said to him, "We did not [yet] recite the Shema.
  - I He said to them, "If the dawn has not yet risen, you are obligated to recite [the *Shema*].
  - J "And [this applies] not only [in] this [case]. Rather, [as regards] all [commandments] which sages said [may be performed] 'Until midnight," the obligation [to perform them persists] until the rise of dawn."
  - K [For example,] the offering of the fats and entrails—their obligation [persists] until the rise of dawn [see Lev. 1:9, 3:3–5].
  - L And all [sacrifices] which must be eaten within one day, the obligation [to eat them persists] until the rise of dawn.
  - M If so why did sages say [that these actions may be performed only] until midnight?
  - N In order to protect man from sin.
- **1:2** A From what time do they recite the *Shema* in the morning?
  - B From the hour that one can distinguish between [the colors] blue and white.
  - C R. Eliezer says, "Between blue and green."
  - D And one must complete it before sunrise.
  - E R. Joshua says, "Before the third hour.
  - F "For it is the practice of royalty to rise [at] the third hour. [Thus we deem the third hour still to be 'morning.']"

- G One who recites later than this [i.e., the third hour] has not transgressed [by reciting a blessing at the wrong time, for he is viewed simply] as one who recites from the Torah.
- **1:3** A The House of Shammai say, "In the evening everyone should recline in order to recite [the *Shema*] and in the morning they should stand,
  - B "as it says [in the passage of the Shema], When you lie down and when you rise (Dt. 6:7)."
  - C But the House of Hillel say, "Everyone may recite according to his own manner [either reclining or standing],
  - D "as it says, And as you walk by the way (ibid.)."
  - E If it is so [that one may recite however he wishes] why does [the verse] say, *When you lie down and when you rise?*
  - F [It means you must recite the *Shema*] at the hour that people lie down [night] and at the hour that people rise [in the morning].
  - G Said R. Tarfon, "I was coming along the road [in the evening] and reclined to recite the *Shema* as required by the House of Shammai. And [in doing so] I placed myself in danger of [being attacked by] bandits."
  - H They said to him, "You are yourself responsible [for what might have befallen you], for you violated the words of the House of Hillel."
- **1:4** A In the morning one recites two blessings before it [the *Shema*] and one after it. [The two before are "Who Creates Light" and "Everlasting Love." The one after is "True and Certain."]
  - B And in the evening, two before it and two after it. [The two before are, "Who Causes Evening to Pass," and "Everlasting Love." The two after are, "True and Certain," and "Lie Us Down in Peace."]
  - C One is a long [blessing, i.e., "True and Certain"] and one is a short [blessing, i.e., "Lie Us Down"].
  - D Wherever they said to recite a long [blessing], one is not permitted to recite a short one.
  - E [Where they said] to recite a short [blessing], one is not permitted to recite a long one.
  - F [Where they said] to seal [the blessing with the formula, "Blessed are you, Lord, our God, King of the Universe], one may not fail to seal.
  - G [Where they said] not to seal, one may not seal.
- **1:5** A They refer to the exodus from Egypt [in the recitation of the *Shema*] at night [just as they do in the morning].
  - B Said R. Eleazar b. Azariah, "I am like a seventy-year-old but was not worthy [of understanding why] the [passage referring to] the exodus from Egypt is said at night, until Ben Zoma expounded it.
  - C "As it says, So that you may remember the day on which you left Egypt all the days of your *life* (Dt. 16:3).
  - D "[If Scripture simply stated], *The days of your life* [this would mean only] the days. [But since it states], *All the days of your life*, [this includes] the nights [you must also remember at night]."
  - E But sages say, "*The days of your life* [would include only] this world. *All the days of your life*—to include the messianic age."
- **2:1** A One who was reading [the verses of the *Shema*] in the Torah and the time for the recitation [of the *Shema*] arrived:

- B If he directed his heart [towards fulfilling the obligation to recite the *Shema*], he fulfilled his obligation [to recite].
- C And if [he did] not [direct his heart], he did not fulfill his obligation.
- D "At [the breaks between] the paragraphs [of the *Shema*] one may greet [his fellow] out of respect,
- E "and respond [to any greeting extended to him].
- F "But in the middle [of a paragraph] one may greet [only] out of fear,
- G "and may respond [to any greeting extended to him]"—
- H the words of R. Meir.
- I R. Judah says, "In the middle [of a paragraph] one may greet [only] out of fear
- J "and may respond out of respect.
- K "At [the break between] the paragraphs one may greet out of respect
- L "but may respond to the greeting of any man."
- **2:2** A The following are [the breaks] between the paragraphs:
  - B (1) Between the first blessing and the second [of those which precede the *Shema*];
  - C (2) between the second blessing and [the paragraph which begins] *Shema* (Dt. 6:4–9);
  - D (3) and between [the two sections which begin] *Shema* and *And it shall come to pass if you shall hearken* (Dt. 11:13–21);
  - E (4) Between [the two sections beginning] *And it shall come to pass* and *And God said [to Moses]* (Num. 15:37–41);
  - F (5) Between [the two sections] *And God said* and *True and Certain*.
  - G R. Judah said, "Between [the two sections] *And God said* and *True and Certain* one may not interrupt."
  - H Said R. Joshua b. Qorha, "Why does [the passage of] *Shema* precede [that of] *And it shall come to pass [if you keep my commandments]?*
  - I "So that one may first accept upon himself the yoke of the kingdom of heaven and afterwards may accept the yoke of the commandments.
  - J "[Why does] And it shall come to pass [precede] And God said?
  - K "For And it shall come to pass is recited by both day and night.
  - L "[But] And God said is recited only by day."
- **2:3** A One who recited the *Shema* so softly that he could not hear it [still] fulfilled his obligation.
  - B R. Yose says, "He did not fulfill his obligation."
  - C If he recited but did not enunciate the letters—
  - D R. Yose says, "He fulfilled his obligation."
  - E But R. Judah says, "He did not fulfill his obligation."
  - F One who recites in reverse order [reading later paragraphs first] does not fulfill his obligation.
  - G If he recited and erred [in the recitation, later realizing his error], he should return to the place where he erred [and continue reciting from there to the conclusion].
- **2:4** A Craftsmen may recite while atop a tree or atop a scaffold,
  - B something which they are not permitted to do for the [recitation of the] prayer (the *Eighteen Benedictions*].
- **2:5** A A bridegroom is exempt from the recitation of the *Shema* on the first night [after the wedding] until after the Sabbath [following the wedding],

- B if he did not consummate [the marriage].
- C *M'SH B*: Rabban Gamaliel recited [the *Shema*] on the first night of his marriage.
- D Said to him [his students], "Did our master not teach us that a bridegroom is exempt from the recitation of the *Shema* on the first night?"
- E He said to them, "I cannot heed you to suspend from myself the kingdom of heaven [even] for one hour."
- **2:6** A [Gamaliel] washed on the first night after the death of his wife.
  - B Said to him [his students], "Did not [our master] teach us that it is forbidden for a mourner to wash?"
    - C He said to them, "I am not like other men, I am frail."
- A And when Tabi, his servant, died, [Gamaliel] received condolences on his account.
   B Said to him [his students], "Did not [our master] teach us that one does not receive condolences for [the loss of] slaves?"
  - C He said to them, "Tabi my slave was not like other slaves. He was exacting."
- **2:8** A [As for] a bridegroom—
  - B if he wishes to recite the *Shema* on the first night [after his wedding], he may recite.
  - C Rabban Simeon b. Gamaliel says, "Not all who wish to take [upon themselves the obligations of] the name [God] may do so."
- **3:1** A One whose dead is lying before him [awaiting burial] is exempt from
  - 1 the recitation of the *Shema*,
  - 2 and from [wearing] phylacteries.
  - B [As for] (1) pallbearers, (2) those who replace them, and (3) those who replace their replacements,
  - C those who go before the bier, and those who go behind the bier—
  - D those who are necessary for [carrying] the bier are exempt [from the *Shema* and phylacteries].
  - E But those who are not necessary for [carrying] the bier are obligated.
  - F Both are exempt from [reciting] the prayer.
- **3:2** A Once they buried the deceased and returned [from the gravesite]
  - B if they have time to begin and complete [the recitation of the *Shema*] before they reach the line [of those who have come to console the mourners]—they should begin.
    - C But if not—they should not begin.
    - D [Concerning] they who are standing in the line—
    - E those on the inside [who see the mourners] are exempt [from the recitation of the *Shema*].
  - F But those on the outside [who cannot see the mourners] are obligated [to recite].
- **3:3** A Women, slaves, and minors are exempt from the recitation of the *Shema* and from [the obligation to wear] phylacteries,
  - B but are obligated to the [recitation of] the prayer,
  - C and to [post] a *mezuzah*
  - D and [to recite] the blessing over the meal.

- **3:4** A One who has had a seminal discharge recites [the *Shema*] silently.
  - B And he may not recite either blessings before [the *Shema*] nor [the blessings] after it.C And [as for] the meal, he may recite the grace after it, but may not recite the blessings
  - before it.D R. Judah says, "He may recite the blessings before them [before the *Shema* and the meal] and after them."
- **3:5** A If he was standing in [recitation of] the prayer
  - B and remembered that he had had a seminal emission,
  - C he should not interrupt [his recitation].
  - D Rather he should shorten [it].
  - E If one went down to immerse himself—
  - F if he can come up [from the pool] and cover himself and recite [the *Shema*] before the sun rises—
  - G he should come up and cover himself and recite.
  - H But if not, he should cover himself in the water and recite.
  - I But he should not cover himself in foul water or in water used for soaking [flax],
  - J unless he has poured into it [some fresh] water.
  - K And how far should one distance himself from them [from foul water] and from excrement [before he may recite]?
  - L Four cubits.
- **3:6** A A Zab who had an emission,
  - B a *Niddah* who discharged semen,
  - C and a woman who had intercourse and had a menstrual discharge
  - D require immersion [before they may recite the *Shema*].
  - E But R. Judah exempts [them from the requirement of immersion].
- **4:1** A The morning prayer [may be recited] until midday.
  - B R. Judah says, "Until the fourth hour."
  - C The afternoon prayer [may be recited] until the evening.
  - D R. Judah says, "Until midafternoon."
  - E The evening prayer has no fixed [time].
  - F And [the prayers] of the additional service [may be recited] at any time during the day.
  - G R. Judah says, "Until the seventh hour."
- **4:2** A R. Nehunia b. Haqanah would pray a short prayer upon entering the study house and upon leaving.
  - B They said to him, "What is the nature of this prayer?"
  - C He said to them, "Upon entering I pray that I will cause no offense.
  - D "And upon my exit I give thanks for my portion [in life]."
- **4:3** A R. Gamaliel says, "Each day a man should pray the *Eighteen* [*Benedictions*]."
  - B R. Joshua says, "[Each day one should pray] an abstract of the Eighteen."
  - C R. Aqiba says, "If one's prayer is fluent he prays the [full] *Eighteen* [*Benedictions*].
  - D "But if not [he should pray] an abstract of the Eighteen."

- **4:4** A R. Eliezer says, "One who makes his prayers a fixed task his prayers are not [valid] supplications [of God]."
  - B R. Joshua says, "One who walks in a place of danger prays a short prayer.
  - C "He says, 'God save your nation, Israel. In all critical times let their needs be before you. Blessed are you, O God, who hearkens to prayer.'"
- **4:5** A If he was riding on an ass, he should dismount [to pray].
  - B But if he cannot dismount, he should turn his face (toward the east].
    - C And if he cannot turn his face, he should direct his heart toward the Chamber of the Holy of Holies.
- **4:6** A If he was travelling in a ship or on a raft, he should direct his heart towards the Chamber of the Holy of Holies.
- **4:7** A R. Eleazar b. Azariah says, "The additional prayer is recited only in the congregation of a city."
  - B But sages say, "In the congregation of a city and [by an individual] apart from the congregation of a city."
  - C R. Judah says in his name, "Wherever there is a congregation of the city the individual is exempt from [reciting] the additional prayer [alone]."
- **5:1** A One may stand to pray only in a solemn frame of mind.
  - B The early pious ones used to tarry one hour [before they would] pray,
  - C so that they could direct their hearts to the Omnipresent.
  - D [While one is praying] even if the king greets him, he may not respond.
  - E And even if a serpent is entwined around his heel, he may not interrupt [his prayer].
- **5:2** A They refer to the "wonder of the rain" in [the blessing concerning] "the resurrections of the dead," [the second blessing in the *Eighteen Benedictions*].
  - B And they ask for the rains in "the blessings of the years," [the ninth blessing].
  - C And [they insert] *habdalah* in [the blessing which concludes] "endower of knowledge," [the fourth blessing].
  - D R. Aqiba says, "One says it as a fourth blessing unto itself."
  - E R. Eliezer says, "[One says it] in the 'thanksgiving,' [the Eighteenth Blessing]."
- **5:3** A [As for] one who says, "May thy mercy reach the nest of a bird" or "For good may your name be mentioned," "We give thanks, we give thanks"—they silence him.
  - B [As for] one who comes before the ark [to recite the liturgy on behalf of the congregation] and erred—let another go before [the ark] in his place.
  - C And [the one designated as a replacement] may not decline at this time.
  - D Whence does [the replacement] begin?
  - E At the beginning of the blessing in which the [previous] one erred.
- **5:4** A One who goes before the ark [to lead the prayer] shall not answer "Amen" after the [blessing of the] priests.
  - B Because [he might become] confused [and not know where to begin again].

- C And [even] if there is no priest present besides himself [the leader], he should not raise his hands [as normally is done by priests who recite the priestly blessing].
- D But if he is sure that he can raise his hands [to recite the priestly blessing] and return to his prayer, he is permitted [to do so].
- **5:5** A One who prays and errs—it is a bad sign for him.
  - B And if he is a communal agent, [who prays on behalf of the whole congregation], it is a bad sign for them that appointed him.
  - C [This is on the principle that] a man's agent is like [the man] himself.
  - D They said concerning R. Haninah b. Dosa, "When he would pray for the sick he would say 'This one shall live' or 'This one shall die.' "
  - E They said to him, "How do you know?"
  - F He said to them, "If my prayer is fluent, then I know that it is accepted [and the person will live].
  - G "But if not, I know that it is rejected [and the person will die]."
- **6:1** A What blessing does one recite over produce?
  - B Over fruit of a tree he says, "[Blessed are you, O Lord, our God, King of the Universe] Creator of the fruit of the tree,"
  - C except for wine.
  - D For over wine he says, "Creator of the fruit of the vine."
  - E And over produce of the earth [vegetables] he says, "Creator of fruit of the ground,"
  - F except for loaves [of bread].
  - G For over the loaf he says, "Who brings forth bread from the earth,"
  - H And over greens he says, "Creator of the fruit of the ground."
  - I R. Judah says, "Creator of kinds of herbs."
- **6:2** A If one recited over fruit of trees the blessing "Creator of the fruit of the ground," he has [anyway] fulfilled his obligation.
  - B But [if one said] over produce of the ground, "Creator of the fruit of the tree," he did not fulfill his obligation.
  - C [As regards] any [kinds of produce] if one says, "[Blessed are you, Lord, our God, King of the Universe] for all was created according to his word," he fulfilled his obligation.
- **6:3** A Over something which does not grow from the earth one says, "For all [was created according to his word]."
  - B Over vinegar, unripe fruit, and edible locusts one says "For all [was created at his word]."
  - C Over milk, cheese, and eggs one says, "For all ... "
  - D R. Judah says, "Over anything which is a curse, one does not recite a blessing."
- 6:4 A If one had before him many different types [of food]—B R. Judah says, "If there are among them [foodstuffs] of the seven types [of foods of the
  - Land of Israel], he recites a blessing over that [particular foodstuff]."
  - C But sages say, "[He recites a blessing] over whichever type he desires."
- **6:5** A If one recited a blessing over the wine before the meal, he exempted the wine after the meal [he need not bless again].

- B If one recited a blessing over the appetizer before the meal, he exempted the appetizer after the meal.
- C If one recited a blessing over the loaf [of bread], he exempted the appetizer.
- D [If one recited a blessing] over the appetizer, he did not exempt the loaf.
- E The House of Shammai say, "[A blessing over the appetizer exempts] not even that [cooked food] made in a pot."
- **6:6** A [If] they sat down [to eat], each one recites the [required] blessing for himself.
  - B [If] they reclined, one recites the blessing for all of them.
  - C [If] wine came to them in the midst of the meal, each recites the blessing for himself.
  - D [If wine came] after the meal, one recites the blessing for all.
  - E And [this one] says [the blessing] over the perfume [used to freshen the room],
  - F Even though they bring the perfume only after the dinner.
- 6:7 A [If] they placed before him a salted relish and with it, a loaf [of bread],
  - B he recites the blessing over the salted relish and this exempts the loaf [from the requirement of a blessing],
    - C for the loaf is secondary to it.
    - D This is the general rule: Any primary [food] accompanied by a secondary [food]—one recites the blessing over the primary and [thereby] exempts the secondary.
- **6:8** A "if one ate figs, grapes, or pomegranates, he must recite after them the three blessings [which constitute the grace after meals]"—the words of Rabban Gamaliel.
  - B But sages say, "[He recites] one blessing, embodying the three."
  - C R. Aqiba says, "Even if one ate [only] a cooked vegetable and that was his meal,
  - D "he recites after it the three blessings."
  - E He who drinks water to quench his thirst recites [the blessing], "for all was created at his word."
  - F R. Tarfon says, creator of [many] souls and their needs."
- **7:1** A Three who ate together are obligated to [appoint one of their number] to invite [the others to recite the grace after the meal].
  - B One who ate (1) produce about which there is a doubt whether or not it was tithed, or (2) first tithe from which heave offering [of the tithe] was taken, or [who ate] (3) second tithe or [produce which had been] dedicated [to the Temple] and [then] redeemed, or (4) a servant who ate an olive's bulk [of food], or (5) a Samaritan—they may invite others [to say the grace after the meal] on their account [these individuals are included in the required three, A].
  - C But one who ate (1) produce which is subject to the separation of tithes, or (2) first tithe from which heave offering [of the tithe] was not separated or [who ate] (3) second tithe or [produce which had been] dedicated [to the Temple] but which was not redeemed, or (4) the servant who ate less than an olive's bulk, or (5) the gentile—they may not invite others [to say the grace after the meal] on their account.
- **7:2** A Women, slaves or minors [who ate together with adult Israelite males]—they may not invite others [to bless] on their account.
  - B What is the least [that one must eat if they are] to invite others [to say grace on his account]?

- C At least an olive's bulk.
- D Rabbi Judah says, "At least an egg's bulk."
- **7:3** A How do they invite [others for the grace after the meal]?
  - B (1) For three [who ate together, the leader] says, "Let us bless."(2) For three [others] and himself [four] he says, "Bless."
  - C (3) For ten he says, "Let us bless our God."
  - (4) For ten and himself he says, "Bless."
  - D The same [rule applies for] ten and for ten thousand.
  - E (5) For one hundred he says, "Let us bless the Lord our God."
    - (6) For one hundred and himself he says, "Bless."
  - F (7) For one thousand he says, "Let us bless the Lord our God, God of Israel."
    - (8) For one thousand and himself he says, "Bless."
  - G (9) For ten thousand he says, "Let us bless the Lord our God, God of Israel, God of the Hosts who sits upon the Cherubim, for the food we have eaten."
     (10) For ten thousand and himself he says, "Bless."
  - H As he blesses, so they answer after him:
  - I "Blessed is the Lord our God, God of Israel, God of the Hosts, who sits upon the Cherubim, for the food we have eaten."
  - J R. Yose the Galilean says, "According to the size of the congregation [so] they bless. As it says, *In* [accordance with the size of your] *gatherings, bless God, the Lord, [you who are] from Israel's fountain* (Ps. 68:27)."
  - K Said R. Aqiba, "What do we find in the synagogue? It is the same whether there are many or few present. [The reader] says, 'Bless the Lord.' "
  - L R. Ishmael says, "Bless the Lord who is blessed."
- **7:4** A Three who ate together may not separate, [but must say the grace as a group].
  - B And so too four, and so too five.
  - C Six may separate [into two groups].
  - D [And this is the case for] up to ten.
  - E But ten may not separate, until there be twenty [which can break into two groups of ten].
- 7:5 A Two groups which were eating in one house—
  - B If some [members] of each group face one another, lo, they may combine as a single group [which says together the blessing over the meal].
  - C But if not, each invites [members of its own group to bless] for themselves.
  - D "They do not recite the blessing over wine until one puts water into it [so that it may be drunk]"—the words of R. Eliezer.
  - E But sages say, "They [even] recite the blessing [beforehand]."
- **8:1** A These are the issues [argued] by the House of Shammai and the House of Hillel, concerning the [ritual of the] dinner:
  - B The House of Shammai say, "One recites the blessing over the day then one recites the blessing over the wine."
  - C But the House of Hillel say, "One recites the blessing over the wine and then one recites the blessing over the day."
- 8:2 A The house of Shammai say, "They wash the hands and then mix the cup [of wine]."

- B But the House of Hillel say, "They mix the cup and then wash the hands."
- **8:3** A The House of Shammai say, "One wipes his hands on the napkin and places it on the table."
  - B But the House of Hillel say, "On the cushion."
- **8:4** A The House of Shammai say, "[After the meal] they sweep the floor [house] and then wash the hands [required before recitation of the grace after meals]."
  - B But the House of Hillel say, "They wash the hands and then sweep the floor."
- **8:5** A The House of Shammai say, "[The order of the blessings at the conclusion of the Sabbath is] lamp, meal, spices, and *habdalah*."
  - B But the House of Hillel says, "Lamp, spices, meal, and *habdalah*."
  - C [The blessing over the lamp—] the House of Shammai say, "Who created the light of the fire."
  - D But the House of Hillel say, "Who creates the lights of the fire."
- **8:6** A They may not recite a blessing over a lamp or spices of gentiles,
  - B nor over a lamp or spices of the dead,
    - C nor over a lamp or spices [which have been placed] before [objects pertaining to] idolatry.
  - D And they do not recite a blessing over a lamp until they make use of its light.
- 8:7 A [As for] one who ate but forgot and did not recite the grace [after meals]—
  - B The House of Shammai say, "He should return to his place and recite the grace."
  - C But the House of Hillel say, "He should recite the grace in the place in which he remembered [that he had not recited]."
  - D Until when may he recite the grace?
  - E Until the food has been digested in his intestines.
- **8:8** A [If] wine came to them after the meal,,
  - B and there is only that [one] cup—
  - C the House of Shammai say, "One recites the blessing for wine, and then one recites the grace after the meal."
  - D But the House of Hillel say, "One recites the grace after the meal, and then one recites the blessing for wine."
  - E They respond 'Amen' after an Israelite who recites a blessing, but they do not respond 'Amen' after a Samaritan who recites a blessing,
  - F until one hears the entire blessing.
- **9:1** A One who sees a place in which miracles were performed for Israel says, "Blessed is he who performed miracles for our fathers in this place."
  - B [One who sees] a place from which idolatry was uprooted says, "Blessed is he who uprooted idolatry from our land."
- **9:2** A For (1) meteors, (2) earth tremors, (3) lightning, (4) thunder, and (5) the winds, one says, "Blessed is he whose power and might fill the world."

- B For (1) mountains, (2) hills, (3) seas, (4) rivers, and (5) deserts, he says, "Blessed is the maker of [all of I creation."
- C R. Judah says, "He who sees the Great [Mediterranean] Sea says, 'Blessed is he who made the Great Sea.'
- D "[This is the case] if he sees it from time to time."
- E For the rains and for good tidings, he says, "Blessed is he who is good and does good."
- F And for bad tidings he says, "Blessed is the true judge."
- **9:3** A If he built a new house, or bought new clothes he says, "Blessed is he who kept us alive [and brought us to this occasion]."
  - B One [who] recites over evil the blessing [used] for good, or [who recites] over good [the blessing used] for evil
  - C [or] one who cries out about the past—
  - D lo, this is a vain prayer.
  - E How so? If one's wife was pregnant and he said, "May it be thy will that she give birth to a male"—Io, this is a vain prayer.
  - F If he was coming along the road and heard a noise of crying in the city and said, "May it be thy will that those [who are crying] are not members of my household"—Io, this is a vain prayer.
- 9:4 A One who enters a town recites two prayers— one upon his entry and one upon his exit.
  - B B. Azzai says, "[He recites] four [prayers]— two upon his entry and two upon his exit.
    - C "And he gives thanks for the past, and cries out for the future."
- **9:5** A A man is obligated to recite a blessing over evil just as he recites a blessing over good.
  - B As it is said, And you shall love the Lord your God with all your heart, with all your soul, and with all your might (Dt. 6:5).
    - C *With all your heart*—[this means] with both of your inclinations, with the good inclination and with the evil inclination.
    - D And with all your soul—even if He takes your soul.
    - E And with all your might—with all of your money.
    - F Another matter: *With all your might*—with each and every measure that he measures out for you, thank him much.
    - G One should not act silly while facing the Eastern Gate [of the Temple in Jerusalem] for it faces toward the Chamber of the Holy of Holies.
    - H One should not enter the Temple mount with his walking stick, his overshoes, his money bag, or with dust on his feet.
    - I And one should not use [the Temple mount] for a shortcut.
    - J And spitting [there likewise is forbidden, as is proven by an argument] *a minori ad majus* [if you may not use it for a shortcut, you obviously may not spit there].
    - K [At one time] all blessings in the Temple concluded with "forever."
    - L When the heretics corrupted [the practice] and said, "There is but one world [but no world to come],"
    - M they ordained that they should say, "forever and ever" [thus suggesting the existence of a world to come].
    - N And they ordained that an individual should greet his fellow with [God's] name,
    - O in accordance with what is said, And behold Boaz came from Bethlehem; and he said to the reapers, "The Lord be with you!" And they answered, "The Lord bless you" (Ruth 2:4).

- P And it says, *The Lord is with you you mighty man of valor* (Judges 6:12).
- Q And it says, Do not despise your mother when she is old (Prov. 23:22).
- R And it says, It is the time for the Lord to act, for thy law has been broken (Ps. 119:126).

### PEAH

### Roger Brooks

- **1:1** A These are things which have no [specified] measure:
  - B (1) [the quantity of produce designated as] *peah*,
    - (2) [the quantity of produce given as] firstfruits,
    - (3) [the value of] the appearance offering,
    - (4) [the performance of] righteous deeds,
    - (5) and [time spent in] study of Torah.
  - C These are things the benefit of which a person enjoys in this world, while the principal remains for him in the world to come:
  - D (1) [deeds in] honor of father and mother,
    - (2) [performance of] righteous deeds,
    - (3) and [acts which] bring peace between a man and his fellow.
  - E But the study of Torah is as important as all of them together.
- **1:2** A They may designate as *peah* no less than one-sixtieth [of a field's produce].
  - B And even though they said, "*Peah* has no [specified] measure" [cf. M. 1:1B1],
    - C [the quantity designated] should always accord with:
      - (1) the size of the field,
      - (2) the number of poor people,
      - (3) and the extent of the yield.
- **1:3** A They may designate [produce as] *peah* [while harvesting] the front of the field, or [while harvesting] the middle [of the field].
  - B R. Simeon says, "[This is true] providing that [the farmer] designates [as *peah*] the [required] measure [of produce while harvesting] the rear [of the field]."
  - C R. Judah says, "If [the farmer] retained one stalk [for his own use], he depends upon [that stalk for purposes of designating the rest of the field's produce] as *peah*.
  - D "But if [he did] not [retain at least one stalk for his own use, but rather designated the entire field's produce as *peah*], he has not designated [the produce in the field as *peah*].
  - E "Rather, [he has designated it] as ownerless property."
- **1:4** A They stated a general principle concerning [the designation of produce as] *peah:* 
  - B Whatever is:
    - (1) edible,
    - (2) privately owned,
    - (3) grown from the ground,
    - (4) harvested as a crop,
    - (5) and can be preserved in storage, is subject to [designation as] *peah*.
  - C Grain and legumes are included in this general principle.

- **1:5** A Among types of trees,
  - B [the fruit of] (1) a sumac tree, (2) carob trees, (3) walnut trees, (4) almond trees, (5) grape vines, (6) pomegranate trees, (7) olive trees, (8) and date trees, is subject to [designation as] *peah*.

#### 1:6

- I A "At any time [after the harvest, the farmer] may designate [produce] as *peah*, [with the result that the produce he designates] is exempt from [the separation of] tithes,
  - B "until [the grain pile] is smoothed over. [At this point, the produce becomes liable to the separation of tithes.]
- II C "And [the farmer] may give away [produce] as ownerless property, [with the result that the produce he gives away] is exempt from [the separation of] tithes,
  - D "until [the grain pile] is smoothed over. [At this point the produce becomes liable to the separation of tithes.]
- III E "And [the farmer] may feed cattle, wild animals, and fowl [from the produce he harvests, with the result that the produce he feeds them] is exempt from [the separation of] tithes,
  - F "until [the grain pile] is smoothed over. [At this point the produce becomes liable to the separation of tithes.]
- IV G "And [the farmer] may collect [grain] from the threshing floor, and sow fit, with the result that the grain he sows] is exempt from [the separation of] tithes,
  - H "until [the grain pile] is smoothed over. [At this point the produce becomes liable to the separation of tithes,]" the words of R. Aqiba.
- V I [As regards] a priest and a Levite who bought [grain from] the threshing floor the tithes [that otherwise would be separated from the produce they have purchased] belong to them,
  - J unless [the grain pile] is smoothed over. [If this is the case, the farmer must separate tithes before he sells the produce.]
- VI K [As regards] one who dedicates [produce to the Temple], and then redeems [it the produce he redeems] is liable to [the separation of] tithes,
  - L unless the [Temple] treasurer smoothed over [the grain pile]. [If this is the case, the farmer incurs no liability to separate tithes when he redeems the produce, for the Temple owned the produce when it normally would become liable to the separation of tithes.]
- **2:1** A And these [landmarks] establish [the boundaries of a field] for [purposes of designating] *peah:* 
  - B (1) a river, (2) pond, (3) private road, (4) public road, (5) public path, (6) private path that is in use in the hot season and in the rainy season, (7) uncultivated land, (8) newly broken land, (9) and [an area sown with] a different [type of] seed.
  - C "And [as regards] one who harvests young grain [for use as fodder—the area he harvests] establishes [the boundaries of a field]," the words of R. Meir.
  - D But sages say, "[The area he harvests] does not establish [the boundaries of a field], unless he has also ploughed [the stubble] under."
- **2:2** A An irrigation ditch which [divides a tract of land so that the tract] cannot be harvested as one,
  - B R. Judah says, "[It] establishes [the boundaries of a field]."
  - C And any hills that are hoed with a mattock [hills which divide a tract of land and which are hoed manually] (Is. 7:25)—

- D even though an ox cannot cross over [them] with its plough,
- E [the farmer] designates *peah* for the entire [tract of land, as one field].
- **2:3** A All [of the landmarks listed at M. 2:1] establish [the boundaries of a field planted with] seeds,
  - B but only a fence establishes [the boundaries of an orchard of] trees.
  - C But, if the tops [of several trees] are intertwined [even a fence] does not establish [a boundary between them].
  - D Rather, [the farmer] designates *peah* for all [of the trees together].
- **2:4** A And as regards carob trees, all that are within sight of each other [constitute a single orchard, and *peah* is designated for all of them together].
  - B Said Rabban Gamaliel, "In my father's household, they used to designate one [portion of produce as] *peah* for all of the olive trees that they owned in every direction [all that they had together].
  - C "But as regards carob trees, all that are within sight of each other [constitute a single orchard, and *peah* is designated for all of them together]" [M. 2:4A].
  - D R. Eliezer bar Sadoq says in [Gamaliel's] name, "[They] also [designated one portion of produce as *peah* for all] of the carob trees in the locale, [whether or not they were in sight of each other]."
- **2:5** I A One who sows his field with [only] one type [of seed], even if he harvests [the produce] in two lots
  - B designates one [portion of produce as] *peah* [from the entire crop].
  - II C If he sowed [his field] with two types [of seeds], even if he harvests [the produce] in only one lot,
    - D he designates two [separate portions of produce as] *peah*, [one from each type of produce].
  - III E He who sows his field with two types of wheat—
    - F [if] he harvests [the wheat] in one lot, [he] designates one [portion of produce as] *peah*.
      - G [But if he harvests the wheat in] two lots, [he] designates two [portions of produce as] *peah*.
- **2:6** A  $M'SH \check{S} R$ . Simeon of Mispah sowed [his field with two types of wheat].
  - B [The matter came] before Rabban Gamaliel. So they went up to the Chamber of Hewn Stone, and asked [about the law regarding sowing two types of wheat in one field].
  - C Said Nahum the Scribe, "I have received [the following ruling] from R. Miasha, who received [it] from his father, who received [it] from the Pairs, who received [it] from the Prophets, [who received] the law [given] to Moses on Sinai, regarding one who sows his field with two types of wheat:
  - D "If he harvests [the wheat] in one lot, he designates one [portion of produce as] *peah*.
  - E "If he harvests [the wheat] in two lots, he designates two [portions of produce as] *peah*."
- **2:7** A [As regards] a field which
  - 1. gentiles harvested [without the permission of the Israelite owner],
  - 2. thieves harvested,
  - 3. ants destroyed,

- 4. or which wind or cattle broke down-
- B [the produce of such a field] is exempt [from designation as *peah*].
- C [if a farmer] had harvested half [of his field], and thieves [then] harvested [the remaining] half—
- D [the produce which the farmer harvests] is exempt [from designation as *peah*], since the [farmer's] obligation [to designate] *peah* applied only to the [produce which he left] standing, [and which thieves later harvested].
- **2:8** A If thieves had harvested half [of the field], and [then the farmer] harvested [the remaining] half—
  - B [the farmer] must designate *peah*, from that which he harvested, [on behalf of the entire field].
  - C [If the farmer] had harvested half [of his field], and [then] sold [the remaining] half—
  - D the buyer must designate *peah* for the entire [field].
  - E [If the farmer] had harvested half [of his field], and [then] dedicated [the remaining] half [to the Temple]—
  - F he who redeems the produce from the [Temple] Treasurer is the one who designates *peah* for the entire [field].
- **3:1** A [As regards] plots of grain [sown] between olive trees—
  - B the House of Shammai say, "*Peah* [is designated separately] from each and every one (of the plots]."
  - C The House of Hillel say, "[*Peah* is designated] from one [plot] on behalf of all [of the plots together]."
  - D And they agree that if the ends of rows [at the edge of each plot] are intertwined, [the farmer] designates *peah* from one [plot] for all [of the plots together].
- **3:2** A One who reaps [the ripe portions] of his field and leaves the unripe stalks—
  - B R. Aqiba says, "He designates [a separate portion of produce as] *peah* from each and every [area, as he harvests it]."
  - C But sages say, "[He designates *peah*] from one [area] on behalf of all [of the areas together]."
  - D And sages concede to R. Aqiba regarding one who sows dill or mustard in three places, that he designates [a separate portion of produce as] *peah* from each and every [plot].
- **3:3** A One who clears [his field of] fresh onions [in order to sell them] in the market, and stores dried [onions]
  - B designates *peah* from the former (fresh onions] by themselves and from the latter [dried onions] by themselves.
  - C And [this ruling applies] to beans and to [the produce of] a vineyard.
  - D He who thins [his field] designates [*peah*] from the remaining [produce] on behalf of [this same] remaining [produce].
  - E But if he clears [part of his field, intending to use all of the produce] for one purpose, he designates [*peah*] from the remaining [produce] on behalf of all [of the produce, i.e., both the produce he clears and the produce which remains in the field].
- **3:4** A Seed onions are subject to [designation as] *peah*.
  - B But R. Yose declares them exempt.

- C [As regards] plots of onions [sown] between [plots of] vegetables—
- D R. Yose says, "[The farmer designates] *peah* from each and every one [of the plots of onions]."
- E But sages say, "[He designates *peah*] from one [plot] on behalf of all [of the plots together]."
- **3:5** A [Two] brothers who divided [ownership of a field which previously they had jointly owned]
  - B give two [separate portions of produce] as *peah* [each designates *peah* on behalf of the produce of his half of the field].
  - C [If] they return to joint ownership [of the field]
  - D [together] they designate one [portion of produce] as *peah* [on behalf of the entire field].
  - E Two [men] who [jointly] purchased a tree
  - F [together] designate one [portion of produce] as *peah* [on behalf of the entire tree].
  - G But if one purchased the northern [half of the tree], and the other purchased the southern [half of the tree],
  - H the former designates *peah* by himself, and the latter designates *peah* by himself.
  - I He who sells the trees in his field [but not the earth in which they are planted]—
  - J [the buyer] designates *peah* from each and every [tree, for the trees are not deemed an orchard, since the buyer does not own the land].
  - K Said R. Judah, "Under what circumstances [does this apply]?
  - L "[It applies] when the owner of the field does not retain [any of the trees for himself].
  - M "But if the owner of the field had retained [some of the trees for himself
  - N "[the owner] designates *peah* for all [of the trees, those he sells and those he retains]."
- **3:6** A R. Eliezer says, "[An area] of land [within which is planted] a quarter-[*qab* of seed] is subject to [the laws of] *peah*."
  - B R. Joshua says, "[An area of land which] produces two *seahs* [of grain is subject to the laws of *peah*]."
  - C R. Tarfon says, "[An area of land measuring] six by six handbreadths [is subject to the laws of *peah*]."
  - D R. Judah ben Beterah says, "[An area of land which produces] sufficient [produce that the farmer must] harvest twice [with two strokes of a sickle, is subject to the laws of *peah*]."
  - E And the law is according to his words.
  - F R. Aqiba says, "Any area of land, [however minuscule],
    - (1) "is subject [to the laws of] *peah*, and [the laws of] firstfruits
    - (2) "[may be used as security] for writing a *prosbol*, [which states that the Sabbatical year will not negate the obligation to repay a loan],

(3) "[and may be used as collateral] for purchasing movable property with money, a contract, or usucaption."

- **3:7** A One who consigns his property [to others] while on his deathbed, [and then recovered]—
  - B if he retained any [property] at all, his gift [is deemed] valid.
  - C [If] he did not retain any [property] at all, his gift [is deemed] invalid, [and the others must return what they received].
  - D He who consigns his property to his sons—
  - E if he consigned any land to his wife,
  - F she forfeits [the settlement guaranteed by] her marriage contract.
  - G R. Yose says, "If she accepted [some land as a gift], even if he did not consign it to her,

- H she forfeits [the settlement guaranteed by] her marriage contract."
- **3:8** A He who consigns his property to his slave—
  - B [the slave] becomes free.
  - C If (the property owner] retained any [land for himself],
  - D [the slave] does not become free.
  - E R. Simeon says, "In any such case the slave becomes free, unless the [property owner] says, 'Lo, all of my possessions are given to so-and-so, my slave, except for one ten-thousandth part of them.'"
- **4:1** A *Peah* is designated from (produce which as yet is] unharvested [cf. Lev. 23:22].
  - B [As regards produce which grows] on a trellis, or [the produce of] a palm tree [either of which might be damaged if the poor attempted to collect *peah*]—
  - C the householder cuts down [the produce] and distributes it among the poor.
  - D R. Simeon says, "[The preceding rule applies] also to [nuts which grow on] smooth nut trees, [since the poor cannot easily climb these trees to pick the produce]."
  - E Even if ninety-nine [poor people] say that [the householder should] distribute [the produce] and [only] one [poor person] says that [the poor should] take [the produce by themselves, leaving the householder out of the distribution process completely],
  - F they listen to the latter, [who said that the poor should take the produce themselves],
  - G for he has spoken according to the law.
- **4:2** A [With regard to produce which grows] on a trellis, or [the produce of] a palm tree, this [rule, E-F] does not apply.
  - B [In the case of a trellis or a palm tree], even if ninety-nine [poor people] say that [the poor should] take [the produce by themselves], and [only] one [poor person] says that [the householder should] distribute [the produce among the poor],
  - C they listen to the latter, [who said that the householder should distribute the produce, thereby preventing damage to his property],
  - D for he has spoken according to the law.
- **4:3** A [If a poor person] harvested part of the [produce designated as] *peah*, and threw it over the remainder [of the produce designated as] *peah*, [in order to claim ownership of that produce],
  - B he is entitled to no part [of the produce designated as *peah*, for ownership cannot be established in this manner].
  - C [If] he fell upon [the produce designated as] *peah* or spread his cloak over it, [in order to claim ownership of this produce],
  - D [although he properly has attempted to claim ownership of the produce], they remove it from him, [since each poor person is entitled to only as much produce as he harvests].
  - E This same [rule] applies to [the collection of] gleanings and forgotten sheaves.
- 4:4 A (As regards] *peah*
  - B they may not harvest it with sickles, nor may they uproot it with spades,
  - C so that [poor] people will not clobber each other [with the garden tools].
- **4:5** A Three [times] in each day [the poor may enter the field in order to] collect [*peah*]:
  - B (1) in the morning, (2) at noon, (3) and in the late afternoon.

- C Rabban Gamaliel says, "They said [this] only so that (householders] would not decrease [the number of times they permitted the poor to collect *peah*, thus depriving them of what is rightfully theirs]."
- D R. Aqiba says, "They said [this] only so that [householders] would not increase [the number of times the poor would have to go out to the field to collect *peah*, such that the poor have to wait all day by the edge of the fields in order to collect *peah* when the householder gives them permission]."
- E [In contrast to the ruling at A-B, the inhabitants of Bet Namer [permitted the poor] to collect gleanings from each row [of the fields, as they were harvested], and designated *peah* from each and every furrow.
- **4:6** A [As regards] a gentile who had harvested his field, and then converted—
  - B [the produce he had harvested is] exempt from [the restrictions of] gleanings, the forgotten sheaf, and *peah*, since these are designated during the harvest, i.e., before the gentile converted, so that his crop never became subject].
  - C R. Judah obligates [such a man] to [the law of the] forgotten sheaf,
  - D since [the law of the] forgotten sheaf applies only once he binds [the sheaves, i.e., after the gentile had converted and the produce has become subject].
- **4:7** A One who had dedicated a standing [crop to the Temple] and then redeemed [that same] standing [crop]—
  - B [the produce he redeems] is subject [to the restrictions of the forgotten sheaf, for he owns the produce when the law of the forgotten sheaf begins to apply, i.e., when the produce is bound into sheaves].
  - C [If he had dedicated to the Temple a crop which had been] bound into sheaves and then redeemed [that same crop while it was still] bound into sheaves—
  - D [the produce he redeems] is subject [to the restrictions of the forgotten sheaf, since he had owned the produce when it was bound].
  - E [But if he had dedicated] a standing [crop to the Temple] and then redeemed [that same crop after it had been] bound into sheaves by the Temple staff]—
  - F [the produce he redeems] is exempt [from the restrictions of the forgotten sheaf],
  - G for at the moment [when it normally would become] subject [to the restrictions of the forgotten sheaf, i.e., when the sheaves were bound], the crop was exempt, [since the Temple owned it].
- **4:8** A Similarly, one who dedicated [to the Temple] his produce before it became liable to [the separation of] tithes and also redeemed it [before it became subject to the separation of tithes]—
  - B [the produce he redeems] is subject to [the separation of] tithes, [since he again owns it when tithes must be separated].
  - C [If he dedicated to the Temple his crop] after it became subject to [the separation of] tithes and then redeemed it—
  - D [the produce he redeems] is subject to [the separation of] tithes, [since the produce became liable to the separation of tithes while it was in his possession].
  - E [But if] he had dedicated [to the Temple his crop] before it had been processed, [at which point it becomes subject to the separation of tithes], and then the [Temple] treasurer processed it, and still later he redeemed it—
  - F [the produce he redeems] is exempt [from the separation of tithes],

- G for at the moment [when the produce normally would become] subject to [the separation of] tithes, it was exempt, [since the Temple owned it].
- **4:9** A One who picked [some produce designated as] *peah* and said, "Lo, this is for so-and-so, the poor man"—
  - B R. Eliezer says, "He acquires [ownership on behalf of] the poor person."
  - C But sages say, "Let [the householder] give [the produce] to the first poor person to be found, [since householders should not determine how *peah* is distributed; cf. M. 4:1]."
  - D Gleanings, forgotten sheaves, and *peah*, [designated from a field] belonging to a gentile, are subject [to the separation of] tithes, [for the gentile is not required to designate produce for the poor, and so such produce is treated like ordinary produce],
  - E unless [the gentile] had declared them ownerless property, [which in any case is not subject to the separation of tithes].
- **4:10** A What [produce is subject to the law of] gleanings [cf. Lev. 19:9–10]?
  - B That which falls [to the ground] during the harvest.
  - C If one was harvesting and harvested an armful [of produce], or plucked a handful [of produce],
  - D and a thorn pricked him so that [the produce he was holding] fell to the ground [before he had fully grasped it]—
  - E lo, [this produce] belongs to the householder, [for only produce which falls to the ground while in the possession of the harvester is subject to the law of gleanings].
  - F [Produce which falls from] within the [harvester's] hand, or [from] within the sickle, [produce of which the harvester had taken possession,]
  - G [belongs] to the poor.
  - H [Produce which falls from] the back of the [harvester's] hand, or [from] the back of the sickle,
  - I [belongs] to the householder, [for the harvester had not yet taken possession].
  - J (Produce which falls from] the tip of the [harvester's] hand, or [from] the tip of the sickle, [such that it is unclear whether or not the harvester had taken possession]—
  - K R. Ishmael says, "[Such produce belongs] to the poor."
  - L R. Aqiba says, "[It belongs] to the householder."
- **4:11** A [As regards] anthills in the midst of a standing [crop]—
  - B lo, [grain which falls into them] belongs to the householder, [for produce does not become subject to the law of gleanings until after the harvest].
  - C After the harvesters [have gone through the field],
  - D the [grain at the] tops [of the anthills, which fell after the harvest, belongs] to the poor, while the [grain at the] bottoms [of the anthills, which probably fell before the harvest,] belongs to the householder.
  - E R. Meir says, "All [grain which falls into anthills after the harvesters have gone through the field belongs] to the poor,
  - F for produce which might be [subject to the law of] gleanings [produce which might have fallen after the harvest] is [deemed in fact to be subject to the law of] gleanings."
- 5:1 A [As regards] a heap of grain from under which [gleanings] have not been collected—
   B all [produce] which touches the ground, [and therefore might have fallen to the ground after the harvest],

- C lo, this [produce] belongs to the poor.
- D [As for] wind which scatters sheaves [over an area from which gleanings have not been collected, with the result that it is not clear what produce belongs to the householder, and what produce belongs to the poor]—
- E they estimate how much [of the field's produce] is likely to be [subject to the restrictions of] gleanings, and [the householder] gives [this amount of produce] to the poor.
- F Rabban Simeon b. Gamaliel says, "He gives to the poor [the amount of produce] which is thrown [to the ground when sowing the field]."
- **5:2** A [As regards] a single stalk [of grain which stands unharvested] in the midst of harvested [produce], the top of which is even with the standing [crop]—
  - B if [that stalk] is harvested as part of the standing [crop, and clearly was not forgotten],
  - C lo, it belongs to the householder.
  - D But if [the stalk is] not [harvested with the standing crop],
  - E lo, it belongs to the poor, [for it is treated as a part of the standing crop which has been forgotten].
  - F [As regards] a stalk [of grain which is in the status of] gleanings, [such that it belongs to the poor and is exempt from the separation of tithes], which was mixed in with a heap of grain [which is subject to the separation of tithes]—
  - G [one designates] the tithes [required for] one stalk [of grain], and then gives that [single] stalk to [a poor person, in exchange for the original stalk in the status of gleanings, since gleanings must be exempt from the separation of tithes].
  - H Said R. Eliezer, "But how can this poor person [receive] anything in exchange for [the single stalk which became mixed in, and which] he never possessed?
  - I "Rather one transfers to the poor person [partial ownership of] the entire heap of grain, [so that the poor person is also partial owner of the single stalk of grain which was mixed in],
  - J and then he designates the tithes [required for] one stalk [of grain], and then gives [that stalk to a poor person]."
- **5:3** A "They may not [irrigate a field] with a waterwheel [before the poor have collected gleanings, because this will make the field so muddy that it will be difficult for the poor to collect gleanings]," the words of R. Meir.
  - B But sages permit [such irrigation], for it is still possible [for the poor to collect gleanings].
- **5:4** A "[As regards] a householder who is travelling from one place to another,
  - B "and [because he has no money] he needs to collect gleanings, forgotten sheaves, *peah* or poor man's tithe,
  - C "let him collect [what he needs].
  - D "And when he returns to his home, he should repay [the amount of produce he took as a poor person, for he never actually was poor]," the words of R. Eliezer.
  - E But sages say, "[He need repay nothing, because in fact] he was a poor person when [he collected produce designated for the poor]."
- **5:5** A One who exchanges with poor people [produce which is subject to the separation of tithes, for produce in the status of gleanings which is exempt from the separation of tithes]—
  - B [the produce] which [the first man acquires from the poor remains] exempt [from the separation of tithes],

- C and [the produce] which the poor [acquire from the householder remains] subject [to the separation of tithes, for the holiness inheres in the produce itself, and is not affected by ownership].
- D [As regards] two [poor people] who (together] contract [to harvest] a field as sharecroppers—
- E each may give to the other the poor man's tithe [separated from the produce he receives as payment for harvesting the field].
- F He who contracts to harvest a field [as a hired laborer]
- G is forbidden [to collect] gleanings, forgotten sheaves, *peah*, or poor man's tithes [designated from that field].
- H Said R. Judah, "Under what circumstances [does this apply]?
- I "[It applies] if [the laborer] contracted [to harvest the field] with the agreement that he would be paid] one-half, one-third, or one-fourth [of the field's entire yield, i.e., he becomes a partial owner of the field's entire crop].
- J "But if [the householder] said to him, 'A third of [the produce] you harvest shall belong to you,' "
- K "[the laborer] is permitted [to collect] gleanings, forgotten sheaves, and *peah*, [since these are not things which he harvests, and therefore he has no claim of ownership on them].
- L "But he is forbidden [to collect] poor man's tithe, [since this is designated from the harvested produce, of which he is a partial owner]."
- **5:6** A He who sells a field—
  - B the seller is permitted [to collect produce designated for the poor from that field, since he no longer owns the field].
  - C but the buyer is forbidden [to collect this produce].
  - D A man may not hire a worker [who agrees to work only] on condition that his son collect [gleanings] behind him, [for this is tantamount to the laborer himself collecting gleanings].
  - E (1) One who does not allow the poor [freely] to collect [gleanings], (2) or if he allows one [poor person] but not another, (3) or if he assists [only] one of them,
  - F lo, that [man] robs the poor.
  - G With regard to that [man] it is stated, "Remove not the landmark [the produce] of the poor," [a play on words on Prov. 22:28, which reads "*Remove not the ancient landmark*"].
- **5:7** A A sheaf which (1) workers forgot, but which the householder did not forget,(2) which the householder forgot, but which the workers did not forget, (3) [or if] poor people stood in front [of a sheaf] or covered it with straw [in order to hide it so that the workers would forget it],
  - B lo, this [sheaf] is not [subject to the restrictions of the] forgotten sheaf, [for either the poor received it by deception, or it was never forgotten by both the worker and the householder] [cf. Dt. 24:19–22].
- **5:8** A He who binds [sheaves] into stack covers, stack bases, temporary stacks, or [ordinary] sheaves—
  - B [while the sheaves are being bound, they] are not [subject to the restrictions of the] forgotten sheaf.
  - C [While the bound sheaves are brought] from [the binding area] to the threshing floor,
  - D they are [subject to the restrictions of the] forgotten sheaf. [The point is that liability to the law of the forgotten sheaf begins only once the binding process is completed. Additionally,

sheaves are no longer subject to the law of the forgotten sheaf after the threshing process begins.]

- E He who binds [sheaves which will be placed in] a grain heap—
- F [the bound sheaves in the grain heap] are [subject to the restrictions of the] forgotten sheaf.
- G [Once the sheaves are brought] from [the grain heap] to the threshing floor,
- H [they] are not [subject to the restrictions of the] forgotten sheaf.
- I This is the general [principle]:
- J All who bind sheaves at a place where binding will be completed—
- K [the sheaves] are [subject to the restrictions of the] forgotten sheaf.
- L [Once the sheaves are brought] from [such a place, where binding is completed] to the threshing floor,
- M [the sheaves] are not [subject to the restrictions of the] forgotten sheaf.
- N [But if the sheaves are bound] at a place where binding will not be completed,
- O [they] are not [subject to the restrictions of the] forgotten sheaf.
- P [While the sheaves are gathered together, which marks the end of the binding process, [and are brought] from [the place where they were bound] to the threshing floor,
- Q [they] are [subject to the restrictions of the] forgotten sheaf.
- **6:1** A The House of Shammai say, "Property which is [declared] ownerless [only] for [the benefit of] the poor [validly has been declared] ownerless property."
  - B But the House of Hillel say," [Such produce]has not been [validly declared] ownerless property,
  - C unless it is declared ownerless property also for [the benefit of] the rich people,
  - D as is the case with [produce which grows during a year of] release."
  - E [If] each of the sheaves of a field [contains] a single *qab*, but one [sheaf contains] four *qabs*, and [the worker] forgets [this latter sheaf]—
  - F the House of Shammai say, "It is not [subject to the restrictions of the] forgotten sheaf, [because the sheaf is distinguished from the other sheaves in the field, and so the householder will not forget it].
  - G But the House of Hillel say, "(It is subject to the restrictions of the] forgotten sheaf," [for according to the House of Hillel, all sheaves, regardless of distinction, are treated alike; cf. M. 6:2C].
- **6:2** A A sheaf which is near (1) the stone fence [at the edge of the field], (2) the grain heap, (3) the oxen, (4) or the cultivation tools, [in such a place that the worker will see it often], and [the worker] forgot [this sheaf]—
  - B The House of Shammai say, "It is not [subject to the restrictions of the] forgotten sheaf, [because of its distinctive location]."
  - C But the House of Hillel say, "[It is subject to the restrictions of the] forgotten sheaf, [since it is deemed to be like any other sheaf]."
- **6:3** A [As regards a sheaf at] the end of a row [in a field, such that it is not clear whether or not the worker forgot it]—
  - B [the presence of] a sheaf [at the end of the row across from it proves [that the first sheaf has not been forgotten. That is, if the worker binds the produce of each row, and leaves these sheaves at the end of each row, none of them is subject to the restrictions of the forgotten sheaf.]
  - C [As for] a sheaf which [the householder] had picked up to take to the city but then forgot—

- D the [House of Hillel and the House of Shammai] agree that [the sheaf] is not [subject to the restrictions of the] forgotten sheaf, [for it is distinct from the other sheaves in that the householder intended to use it for a particular purpose].
- **6:4** A And these are [the rules which apply to sheaves left at] the ends of rows [in a field]:
  - B (1) Two men who began [to harvest a crop] from the middle of a row, one facing north and the other facing south,
  - C and they forgot [sheaves] in front of them [toward the edge of the field], and at their backs [in between them]—
  - D [a sheaf which they forgot] in front of them is [subject to the restrictions of the]forgotten sheaf, [for it is in clear view while they harvest].
  - E But [a sheaf which they forgot] at their backs is not [subject to the restrictions of the] forgotten sheaf, [for neither of the workers had the sheaf in plain view while they harvested the field].
  - F (2) An individual who began [to harvest a field] from the end of a row, and forgot [sheaves] in front of himself and behind himself—
  - G [a sheaf which he forgot] in front of himself is not [subject to the restrictions of the] forgotten sheaf, [for he can gather it when he harvests that part of the row].
  - H But [a sheaf which he forgot] behind himself is [subject to the restrictions of the] forgotten sheaf,
  - I because it is under [the law], [When you reap your harvest in your field, and have forgotten a sheaf in the field,] you shall not go back [to get it] (Dt. 24:19).
  - J This is the general [principle]:

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- K Whatever [sheaf] is under [the law] 'You shall not go back' is subject [to the law of the] forgotten sheaf.
- L But what is not under [the law] 'You shall not go back' is not subject [to the law of the] forgotten sheaf.
- 6:5 I A "Two sheaves [of grain which are left in a field]
  - B "[are subject to the restrictions of the] forgotten sheaf, [for it may be coincidence that they were left in the same field].
  - C "But three [sheaves left in a field] are not [subject to the restrictions of the] forgotten sheaf, [since these probably were not forgotten but left as temporary storage].
  - II D "Two piles of olives or carob [fruit which are left in a field]
    - E "[are subject to the restrictions of the] forgotten sheaf.
      - F "But three [piles] are not [subject to the restrictions of the] forgotten sheaf.
  - III G "Two stalks of flax [which are left in a field]
    - H "[are subject to the restrictions of the] forgotten sheaf.
    - I "But three [stalks] are not [subject to the restrictions of the] forgotten sheaf.
  - IV J "Two [individual] grapes [which are left in a vineyard]
    - K "[are subject to the restrictions of the] separated [grape].
    - L "But three [grapes] are not [subject to the law of] the separated [grape].
      - M "Two stalks [of grain which are left in a field]
        - N "[are subject to the restrictions of] gleanings.
        - O "But three [stalks] are not [subject to the restrictions of] gleanings."
        - P These [rulings] are according to the words of the House of Hillel.
        - Q But concerning all of them, the House of Shammai say, "Three [measures of produce left in a field might have been forgotten in the same field, and so belong]

to the poor, while four [measures certainly were not forgotten, and so] belong to the householder."

- **6:6** A A sheaf which contains two *seahs*, and [the worker] forgot it,
  - B is not [subject to the restrictions of the] forgotten sheaf, [for the householder will not forget such a sheaf, since it contains a large amount of produce].
  - C Two sheaves which [together] contain two *seahs*—
  - D Rabban Gamaliel says, "[They join together as a single sheaf, and so] belong to the householder."
  - E But sages say, "[They] belong to the poor, [for they are deemed separate sheaves]."
  - F Said Rabban Gamaliel, "Now from a larger number of sheaves [which are left in a field] is a claim of increased strength or decreased strength gained by the householder?"
  - G They said to him, "A claim of increased strength."
  - H He said to them, "Now if with regard to one sheaf which contains two *seahs*, and [the worker] forgot it, [we rule that it] is not [subject to the restrictions of the] forgotten sheaf [cf. M. 6:6A-B], [when we deal with] two sheaves which [together] contain two *seahs*, should not the judgment be that they too are not [subject to the restrictions of the] forgotten sheaf?"
  - I They said to him, "No! If you say that one [large] sheaf is like a grain heap, [and so is exempt from the law of the forgotten sheaf], would you say that two [smaller] sheaves are like bundles, even though these are subject to the law of the forgotten sheaf]?"
- 6:7 A A standing [crop] which contains two *seahs*, and [the worker] forgot it,
  - B [is analogous to a sheaf, and so] is not [subject to the restrictions of the] forgotten sheaf [cf. M. 6:6].
    - C If it contains less than two *seahs* but is likely to produce two *seahs*,
    - D even if [the crop] is inferior barley,
    - E they view it as if it were a crop of high-quality barley. [That is, if an equal size crop of high-yield barley would produce two *seahs*, the crop of low-yield barley is not subject to the restrictions of the forgotten sheaf.]
- **6:8** A Standing [produce] prevents a [single] sheaf and [other] standing [produce in the same field from being deemed subject to the restrictions of the forgotten sheaf, for when the worker comes to harvest the standing produce, he can collect the single sheaf, or other standing produce].
  - B A [single] sheaf prevents neither [another] sheaf nor standing [produce from being deemed subject to the restrictions of the forgotten sheaf, since the sheaf itself is easily forgotten.
  - C What is the [sort of] standing [produce] which prevents a sheaf [from being deemed subject to the restrictions of the forgotten sheaf]?
  - D Any [standing produce] which is not [subject to the restrictions of the] forgotten sheaf,
  - E even a single stalk.
- **6:9** A (1) A *seah* of uprooted produce and a *seah* of produce which is not uprooted,
  - B and similarly, (2) [the produce of] a tree, [picked and unpicked], (3) and garlic and onions,
    - C these [pairs] do not join together [to form the minimum] two *seahs* [of produce which would not be subject to the restrictions of the forgotten sheaf].
    - D Rather, [if these pairs are forgotten], they belong to the poor.

- E R. Yose says, "If [produce] which belongs to the poor is in between [two areas of standing produce which normally would join together to form the minimum two *seahs*],
- F "[the two areas] do not join together.
- G "But if [that which belongs to the poor] is not [in between two areas of standing produce],
- H "lo, these [areas] join together [cf. M. 6:7A-B]."
- **6:10** A (1) Produce intended for use as fodder or for binding sheaves, and similarly (2) stalks of garlic [which will be used for binding sheaves, produce which the poor cannot use as food],
  - B or (3) bundles of garlic or onions [which only later will be bound into sheaves],
  - C are not [subject to the restrictions of the] forgotten sheaf.
  - D And similarly, concerning all tubers [which are stored] in the ground,
  - E such as arum, garlic, or onions—
  - F R. Judah says, "'These are not [subject to the restrictions of the] forgotten sheaf, [since it is unclear whether the tubers have been forgotten or are in storage]."
  - G But sages say, "They are [subject to the restrictions of the] forgotten sheaf."
- **6:11** A (1) One who harvests [a field] at night, (2) or binds [produce into sheaves at night], (3) or is blind [and harvests or binds sheaves]—
  - B [the produce he harvests] is [subject to the restrictions of the] forgotten sheaf, (for he is judged a competent harvester.
  - C But if he intended to collect [only] the largest sheaves,
  - D [the smaller sheaves which he leaves in the field] are not [subject to the restrictions of the] forgotten sheaf, [since he never intended to collect them, and will return for them later].
  - E If he said, "Lo, I harvest on the condition that what I forget I will later collect,"
  - F [despite his statement, those sheaves which he leaves] are [subject to the restrictions of the] forgotten sheaf, [for this cheats the poor].
- 7:1 A Any olive tree which is distinguished (from the other trees] in its field,
  - B even as an olive tree [the fruit of which] exudes [oil] when [it is ripe]
  - C and [the worker] forgot it,
  - D is not [subject to the restrictions of the] forgotten sheaf at all.
  - E In what case [does this apply]?
  - F [It applies to a tree distinguished by] its fame, production, or location.
  - G [With regard to] its fame—
  - H [the tree] was [known in past years to have been] a heavy producer or a dry one.
  - I [With regard to] its production—
  - J [in this year the tree] produces much [oil].
  - K [With regard to] its location—
  - L [the tree] is situated near the olive press or near the gate [of the fence surrounding the orchard].
  - M But (as regards] all remaining olive trees [not distinguished by these traits]—
  - N two [such trees] are [subject to the restrictions of the] forgotten sheaf.
  - O But three [such trees] are not [subject to the restrictions of the] forgotten sheaf.
  - P R. Yose says, "The [restrictions of the] forgotten sheaf do not apply to olive trees at all."
- **7:2** A An olive tree which stands in the midst of three rows [of olive trees] which [mark off] two plots [of grain],

- B And [the worker] forgot it,
- C is not [subject to the restrictions of the] forgotten sheaf, [for the tree is distinguished by its location].
- D An olive tree upon which [remain] two *seahs* [of unpicked olives],
- E and [the worker] forgot to harvest it,
- F is not [subject to the restrictions of the] forgotten sheaf, [for it contains the minimum two *seahs* of produce] [cf. M. 6:6].
- G Under what circumstances does this (D-F) apply?
- H [It applies] so long as [the farmer] has not yet begun [to harvest the tree].
- I But if he has begun [to harvest] it,
- J even if it is an olive tree [the fruit of which] exudes [oil] when [it is ripe],
- K and [the worker] forgot it,
- L it is [subject to the restrictions of the] forgotten sheaf.
- M So long as [the restrictions of the forgotten sheaf] apply to the [olives which have fallen, and lie] under the tree,
- N [the restrictions of the forgotten sheaf] apply to the [olives which remain unpicked] on the crown of the tree.
- O R. Meir says, "[This ruling (M-N) applies only] after [the worker] has gone by with a harvesting rod."
- **7:3** A What [produce is subject to the law of the] separated [grape] [Lev. 19:9]?
  - B [Individual grapes] which fall [to the ground] during the harvest.
  - C [If a worker] was harvesting, [and] cut an entire cluster,
  - D [and] it became entangled in the leaves [of the vine],
  - E [so that the cluster] fell from his hand to the ground, and separated [into individual grapes],
  - F lo, [the individual grapes and the remaining cluster] belong to the householder.
  - G One who places a basket under the vine while he harvests [in order to catch the grapes which fall, so that they will not be in the status of separated grapes],
  - H lo, that man steals from the poor.
  - I Concerning that man it is stated, "Remove not the landmark of the poor," [a play on words on Prov. 22:28, which reads *Remove not the ancient landmark*].
- **7:4** A What [produce is subject to the law of the] defective cluster, [such that it belongs to the poor]?
  - B Any [cluster] which has neither a shoulder [a wide upper part] nor a pendant [a cone-shaped lower part].
  - C If [a cluster] has either a shoulder or a pendant,
  - D it belongs to the householder.
  - E If it is uncertain [if the cluster has either a shoulder or a pendant],
  - F [it] belongs to the poor [cf. M. 4:11].
  - G A defective cluster [which grows] on [the portion of the vine which] joins [a normal cluster to the vine], [such that it might be considered part of the normal cluster],
  - H if it is harvested at the same time as the normal cluster,
  - I lo, it belongs to the householder.
  - J But if [the defective cluster] is not [harvested with the normal cluster to which it is attached],
  - K lo, it belongs to the poor.
  - L [As regards] a grape [which grows] singly,
  - M R. Judah says, "[It is deemed] a [normal] cluster, [which belongs to the householder]."

- N But sages say, "[It is deemed] a defective cluster, [which belongs to the poor]."
- **7:5** A "He who thins grapevines,
  - B "just as he [is allowed] to thin his own [produce, the normal clusters], so may he thin [the defective clusters] which belong to the poor," the words of R. Judah.
  - C R. Meir says, "He is permitted to thin his own [produce], but he is not permitted [to thin produce] which belongs to the poor."
- **7:6** A [As regards] a vine in its fourth year [of growth the fruit of which is holy, and forbidden for consumption] [Lev. 19:24]—
  - B the House of Shammai say, "[If the produce of such a vine is consumed], it is not [subject to the law of] the added fifth, and [if the produce remains in one's house up until Passover], it is not [subject to the law of] removal, [for it is deemed completely disanalogous to second tithe]."
  - C The House of Hillel say, "It is [subject to these laws, for it is deemed wholly analogous to second tithe]."
  - D The House of Shammai say, "The produce of a vine in its fourth year of growth is not deemed holy, and so is subject to both the law of] the separated [grape] and [the law of] defective clusters,
  - E "and the poor redeem [the produce of such vines] for themselves."
  - F But the House of Hillel say, "[Since the produce of a vine in its fourth year of growth is holy, the poor have no share in it, and so] all [of the produce may be taken by the householder] to the winepress, [and then he brings the wine to Jerusalem]."
- 7:7 A [As regards] a vineyard [the produce of which] is entirely defective clusters—
  - B R. Eliezer says "[The produce] belongs to the householder."
  - C R. Aqiba says, "[It] belongs to the poor."
  - D Said R. Eliezer, "[Scripture states], When you harvest the grapes of your vineyard, you shall not strip it bare of defective clusters afterward (Dt. 24:21).
  - E "If there is no harvest [because the entire yield is defective clusters], how can there be defective clusters [left after the harvest] ?"
  - F Said to him R. Aqiba, "[Scripture states], *And you shall not strip your vineyard bare of defective clusters* (Lev. 19:10).
  - G "[This verse applies] even if [the produce of the vineyard is] entirely defective clusters, [such that there will be no harvest]—,'
  - H [In Aqiba's view, then,] why does [Scripture] state, *When you gather the grapes of your vineyard, you shall not glean it of defective clusters afterward* (Dt. 24:21)?
  - I [This verse teaches that] the poor may not [claim] the defective clusters before the harvest.
- **7:8** A He who dedicates his vineyard [to the Temple], before the defective clusters within it are recognized—
  - B the defective clusters do not belong to the poor, [for they belong to the Temple].
  - C [If he dedicated the vineyard to the Temple] after the defective clusters are recognized—
  - D the defective clusters belong to the poor, [since the householder has no control over them from the moment they are recognized. He, therefore, cannot dedicate them to the Temple.]
  - E R. Yose says, "[In the case in which the defective clusters belong to the poor, C-D, the poor] must give to the Temple the value of the portion of the clusters which grows [after

the grape clusters are dedicated, but they may keep the produce which had grown before the vineyard was dedicated."

- F What [produce which grows on a] trellis is [subject to the restrictions of the] forgotten sheaf?
- G That which [the worker forgets, and cannot collect] by reaching [behind him] with his hand.
- H And with regard to [produce which grows on] ground-trained vines, [what produce is subject to the restrictions of the forgotten sheaf]?
- I That which [the harvester] passes over.
- **8:1** A After what point in time is any person [rich or poor] permitted [to collect] gleanings?
  - B [All are permitted] once the aged poor go [through the field to collect this produce, since we assume that all poor people have had a chance to collect gleanings].
  - C With regard to separated (grapes] and defective clusters, [when is any person, rich or poor, permitted to collect this produce]?
  - D [All are permitted] once the poor go through the vineyard [to collect the produce designated for them], and have come [a second time to collect what they passed over the first time].
  - E And with regard to olive trees, [when are all people permitted to collect the olives which are designated for the poor]?
  - F [All are permitted] once the second rain falls.
  - G Said R. Judah, "But are there not some [farmers] who pick the olives only after the second rain [falls]"?
  - H "Rather, [the proper ruling for olive trees is that all are permitted after] a poor person goes out [to the orchard to collect the designated produce] and return with only four *issars* [worth of olives, for the poor have already picked almost all of the produce which belongs to them]."
- **8:2** A [The poor] are believed [if they say that tithes need not be separated] on behalf of gleanings, forgotten sheaves, and *peah*, [from produce which is] in season,
  - B and on behalf of poor man's tithe in its proper year, [for we assume that householders actually gave them this produce.
  - C And a Levite is always believed [if he says that first tithe in his possession is exempt from the separation of heave offering of the tithe].
  - D But [the poor] are only believed with regard to that which men usually [give them, for we assume that any other produce they might possess has not been given to them by householders and so tithes have not been separated].
- **8:3** I A [The poor] are believed [if they say that] wheat [in their possession is exempt from the separation of tithes, since the produce was designated for the poor].
  - B But they are not believed with regard to flour or a loaf [of bread, for householders do not usually designate processed produce].
  - II C They are believed with regard to panicles of rice,
  - D but they are not believed [with regard to husked rice], whether raw or cooked.
  - III E They are believed with regard to beans,
    - F but they are not believed with regard to bean meal, whether raw or cooked.
  - IV G They are believed with regard to oil, [if they] say that [the oil] is in the status of poor man's tithe.

H But they are not believed with regard to [oil], if they say that [the oil] derives from olives [left on the] crown [of a tree for the poor].

### **8:4** V A They are believed with regard to raw vegetables,

- B But they are not believed with regard to cooked [vegetables],
- C unless [the poor person] has a small amount [of the cooked vegetable].
- D For it is the custom of householders to take [a small amount] out of their stew, [and to give it to the poor].
- 8:5 A [When dispensing poor man's tithe] they may give to the poor at the threshing floor no less than (1) one-half *qab* of wheat, (2) one *qab* of barley,
  - B R. Meir says, "One-half *qab* of barley]."
  - C (3) one and a half *qabs* of spelt, (4) one *qab* of dried figs, (5) one *maneh* of fresh figs,
  - D R. Aqiba says, "One-half [of a *maneh* of fresh figs."
  - E (6) one-half *log* of wine,
  - F R. Aqiba says, "A quarter [of a *log* of wine]."
  - G (7) a quarter-[*log*] of oil,
  - H R. Aqiba says, "An eighth [of a *log* of oil."
  - I And [as regards] all other types of produce—
  - J said Abba Saul, "[They must give to the poor] enough [produce] so that they may sell it land use the revenue to] buy sufficient food for two meals."
- **8:6** A This single measure [for each type of produce] applies when distributing poor man's tithe to poor] priests, Levites, and Israelites.
  - B [If a man wished to] save [some of the produce he designated as poor man's tithe for his own poor relatives],
  - C he may take only half [for his relatives] and must give half [of the poor man's tithe to other poor people].
  - D If he had [only] a small amount of any type [of produce, less than the measure specified at M. 8:5],
  - E he places [the produce] before [the poor], and they divide it among themselves.
- **8:7** A They give to a poor man traveling from place to place no less than a loaf (of bread] worth a *dupondion*, [made from wheat which costs at least] one *sela* for four *seahs*.
  - B [If such a poor person] stayed overnight,
  - C they give him enough [to pay] for a night's lodging.
  - D [If such a poor person] spent the Sabbath,
  - E they give him food for three meals.
  - F Whoever has sufficient food for two meals may not take [food] from a soup kitchen.
  - G [Whoever has sufficient] food for fourteen meals may not take [money] from the [communal] fund.
  - H [Money for] the [communal] fund is collected by two [people] and distributed by three [people].
- **8:8** A Whoever has two hundred *zuz* [in liquid assets] may not collect gleanings, forgotten sheaves, *peah*, or poor man's tithe.
  - B If he had two hundred [*zuz*] less one *dinar* [he had one hundred and ninety-nine *zuz*],

- C even if one thousand [householders each are about to] give him [one *dinar*], all at the same time,
- D lo, this man may collect [produce designated for the poor, because at the moment he takes charity, he has less than two hundred zuz].
- E [If he had two hundred *zuz* which served as] collateral for a creditor, or for his wife's marriage contract,
- F lo, this man may collect [produce designated for the poor, since this money is not available for his use].
- G They may not compel him to sell his house nor the tools [of his trade in order that he might have two hundred *zuz*].
- 8:9 A Whoever has [only] fifty *zuz*, yet conducts business with them,
  - B lo, this man may not collect [produce designated for the poor].
  - C And anyone who does not need to collect [such produce] but [nevertheless] collects [it]
  - D will not depart from this world before he in fact depends on other people.
  - E And any man who is not lame, dumb, or handicapped, but pretends to be
  - F will not die of old age before he actually has such [an injury].
  - G And anyone who needs to collect [such produce] but does not collect [it]
  - H will not die of old age before [he is able] to support others from that which belongs to him.
  - I And with regard to this man Scripture states, *Blessed is the man who trusts in the Lord*, whose trust is the Lord (Jer. 17:7).
  - J And so a judge who judges for justice's sake [is blessed, as at I].
  - K As it is stated in Scripture, *Justice and only justice shall you follow* (Dt. 16:20).
  - L But any judge who accepts a bribe, and on its account changes his judgment,
  - M will not die from old age before his eyes grow weak.
  - N As it is stated [in Scripture], [And you shall take no bribe], for a bribe blinds the officials [and subverts the case of those who are in the right] (Ex. 23:8).

# DEMAI

### Richard S. Sarason

- **1:1** A The light things with respect to [the category of] *demai* produce [those kinds of produce which are dealt with leniently and exempted from tithing when they are *demai*]:
  - B (1) unripe figs, and (2) wild jujuba, and (3) hawthorn berries, and (4) pine cones, and (5) sycamore figs, and (6) unripe dates, and (7) fennel, and (8) caper fruit;
  - C and in Judea: (1) sumac berries, and (2) vinegar and (3) coriander.
  - D R. Judah says, "(1) All unripe figs are exempt [from tithing as *demai*] except for those from trees which bear fruit twice a year;
  - E "(2) All wild jujuba are exempt [from tithing as *demai*] except for the wild jujuba of *sqmwnh;*
  - F "(3) All sycamore figs are exempt [from tithing as *demai*] except for those which burst open [on the tree] [or, "which are scarified"]."
- **1:2** A [Second tithe of] *demai* produce:
  - B (1) has no added fifth, and (2) has no removal [viz., it is not subject to these scriptural obligations],

- C (3) and it is eaten by a mourner before the burial of his dead relative,
- D (4) and it enters Jerusalem and leaves [viz., it may be brought into Jerusalem and taken out again],
- E (5) and they lose [or, "abandon"] a small quantity of it on the roads,
- F (6) and he gives it to an *am haarez* and consumes its equivalent [in Jerusalem];
- G (7) and they redeem it [exchange its redemption money] silver for silver, copper for copper, silver for copper, and copper for produce,
- H "provided that he again redeems the produce [for money],"
- I the words of R. Meir.
- J And sages say, "They must bring up the produce [following Yalon's vocalization; otherwise, "The produce must be brought up"] and it must be eaten in Jerusalem."
- **1:3** A He who purchases (1) [grain from an *Am haares*] for seed or for cattle [viz., grain which is to be used as fodder], (2) flour for [dressing] hides, (3) oil for the lamp, (4) oil for greasing [cleaning] utensils—
  - B [the produce] is exempt from [tithing as] *demai* produce.
  - C From Kezib and beyond—
  - D [produce purchased in the market] is exempt from [tithing as] *demai* produce.
  - E (1) The dough offering of an *Am haares*, and (2) unconsecrated produce mixed with heave offering, and (3) [produce] which is purchased with coins of second tithe, and (4) the residues of the meal offerings
  - F are exempt from [tithing as] *demai* produce.
  - G Spiced oil—
  - H the House of Shammai declare liable,
  - I and the House of Hillel declare exempt.
- **1:4** A *Demai* produce [which the purchaser has not yet tithed]:
  - B (1) they may make an *erub* with it,
    - C and (2) they may make a *šittup* with it,
    - D and (3) they recite a benediction over it,
    - E and (4) one invites others to recite communal grace after eating it,
    - F and (5) they may separate [tithes from] it naked, (6) at twilight [on the eve of the Sabbath].
    - G Lo, if he separated second tithe before first [tithe], it does not matter.
    - H Oil with which the weaver lubricates his fingers is liable [to tithing] as *demai* produce,
    - I but [oil] which the wool comber puts on the wool is exempt from [tithing as] *demai* produce.
- **2:1** A These items are tithed as *demai* produce in every place [viz., both in and outside the Land of Israel]—
  - B (1) pressed figs, and (2) dates, and (3) carobs, and (4) rice, and (5) cumin.
  - C Rice which is [grown] outside of the Land—all who make use of it are exempt [from tithing].
- **2:2** A He who undertakes to be trustworthy [one who is assumed to tithe all of his produce]
  - B tithes (1) what he eats, and (2) what he sells, and (3) what he purchases,
  - C and (4) does not accept the hospitality of an *Am haares*.
  - D R. Judah says, "Also one who accepts the hospitality of an *Am haares is* trustworthy."

- E They said to him, "[If] he is not trustworthy concerning himself [viz., concerning food which he himself eats], how should he be trustworthy concerning that of others [viz., concerning food which he feeds or sells to others]?"
- **2:3** A He who undertakes to be a *haber* ["comrade," "fellow," "member," "associate"; member of a group which scrupulously observes the laws of Levitical cleanness]
  - B (1) does not sell to an *Am haares* wet or dry [produce, either produce which has been rendered susceptible to uncleanness or produce which has not been rendered susceptible],
  - C and (2) does not purchase from him wet [produce, produce which has been rendered susceptible to uncleanness],
  - D and (3) does not accept the hospitality of an *Am haares*,
  - E and (4) does not receive him [the *Am haares*] as his guest while he [the *Am haares*] is wearing his [the *Am haares*'] own clothes.
  - F R. Judah says, "Also (1) he should not raise small cattle,
  - G and (2) he should not be profuse in [making] vows or in levity,
  - H and (3) he should not defile himself for the dead,
  - I and (4) he should minister in the study house."
  - J They said to him, "These [rules] do not enter the category [under discussion, viz., they do not deal with matters of cleanness]."
- 2:4 A Bakers—
  - B sages required them to separate [from their produce] only [an amount] sufficient for heave offering of the tithe and dough offering.
  - C Shopkeepers [retailers] are not permitted to sell *demai* produce.
  - D All who sell in bulk [and give overmeasure] are permitted to sell *demai* produce.
  - E [K: And] who are they who sell in bulk?
  - F For instance, wholesale provision merchants and grain dealers.
- **2:5** A R. Meir says, "That which is usually measured out [for sale] in bulk and one measured it out [in a particular instance] in a small quantity—
  - B "the small quantity is subjected to the [rules governing] large quantities.
  - C "That which is usually measured out in small quantities and which one measured out in a large quantity—
  - D "the large quantity is subjected to the [rules governing] small quantities."
  - E What is considered a large quantity?
  - F With regard to dry [produce]—three *qabs*,
  - G and with regard to wet produce—[an amount the value of] a *dinar*.
  - H R. Yose says, "Baskets of figs and baskets of grapes, and hampers of vegetables—
  - I "as long as he sells them by the lot [only estimating their bulk] he is exempt [from tithing them as *demai* produce]."
- **3:1** A They feed the poor *demai* produce, and transient guests [or, "billeted troops"] *demai* produce.
  - B Rabban Gamaliel would feed his laborers *demai* produce.
  - C Charity collectors—
  - D The House of Shammai say, "They give that which is tithed to him who does not tithe,
  - E "and that which is not tithed to him who tithes.
  - F "Everyone turns out to be eating [produce that has been] set right [fully tithed produce]."

- G And sages say, "They collect indiscriminately and they distribute indiscriminately,
- H "and he who wants to set right [the produce he has received], let him set [it] right."
- **3:2** A He who wants to trim away leaves of vegetables to lighten his load
  - B should not throw [them] away until he has tithed [them].
    - C He who purchases vegetables from the market and decides to return [them]
    - D should not return [them] until he has tithed [them],
    - E for he [thereby] diminishes only [their] number [but not their resale value].
    - F [If] he was at the point of purchasing and saw another load better than that one,
    - G he is permitted to return [it without first having tithed it],
    - H since he has not [yet] drawn it [into his possession].
- **3:3** A He who finds produce in the road and took it to eat it, and [then] decided to put [it] aside should not put [it] aside until he has tithed [it].
  - C But if he originally took it so that it should not perish,
  - D he is exempt [from tithing it].
  - E Anything which a man is not permitted to sell as *demai* produce he should not send to his friend as *demai* produce.
  - F R. Yose permits in the case of certainly untithed produce,
  - G as long as he informs him.
- **3:4** A He who brings [his tithed] wheat to a Samaritan miller or to an *Am haares* miller—
  - B [the wheat remains] in its presumed status with regard to tithes and with regard to Seventh-Year produce;
    - C to a gentile miller—
    - D [the wheat is deemed to be] *demai*.
    - E He who leaves [his tithed] produce in the keeping of a Samaritan or an Am haares—
    - F [the produce remains] in its presumed status with regard to tithes and with regard to Seventh-Year produce;
    - G in the keeping of a gentile—
    - H [the produce is deemed to be] like his [viz., the gentile's] produce.
    - I R. Simeon says, "[It is deemed to be] *demai*."
- **3:5** A He who gives [his tithed produce] to the mistress of an inn [so that she may prepare it for him to eat]
  - B tithes that which he gives to her and that which he receives [back] from her,
  - C since she is suspected of exchanging [her own doubtfully tithed produce for his tithed produce].
  - D Said R. Yose, "We are not responsible for deceivers.
  - E "He tithes only that which he receives from her."
- **3:6** A He who gives [his tithed produce] to his mother-in-law
  - B tithes that which he gives to her and that which he receives from her,
  - C since she is suspected of exchanging that which is spoiled.
  - D Said R. Judah, "She desires the well-being of her daughter and feels shame before her sonin-law [viz., she is ashamed to feed her son-in-law spoiled food]."
  - E R. Judah concedes in the case of one who gives seventh-year produce to his mother-in-law, that she is not suspected of feeding her daughter seventh-year produce.

- **4:1** A He who purchases produce from one who is not [deemed] trustworthy in the matter of tithing, and forgot to tithe it,
  - B inquires of him [of the vendor] on the Sabbath,
  - C may eat at his [the vendor's] word.
  - D [But] at nightfall at the close of the Sabbath,
  - E he should not eat until he has tithed [the produce].
  - F [If] he did not find him [the vendor, on the Sabbath],
  - G [and if] someone else who is not [deemed] trustworthy in the matter of tithing said to him, "It is tithed,"
  - H he eats at his word.
  - I [But] at nightfall at the close of the Sabbath,
  - J he should not eat until he has tithed [the produce].
  - K [Regarding] heave offering of the tithe from *demai* produce which returned to its place [which fell back into the now-tithed *demai* produce from which it was originally separated, thus rendering the entire mixture prohibited to a non-priest]—
  - L R. Simeon of Sezur says, "Even on a weekday he inquires of him [the vendor]
  - M "and eats at his word."
- **4:2** A He who imposes a vow on his fellow that he eat with him ["He says 'May you be forbidden to derive any benefit from me if you do not eat with me'; cf. Ned. 3:1; 4],
  - B and he [the guest] does not trust him in the matter of tithing—
  - C he [the guest] eats with him on the first Sabbath,
  - D even though he does not trust him in the matter of tithing,
  - E but only if he [the host] will say to him, "This [food] is tithed."
  - F But on the second Sabbath,
  - G even if he [the host] vowed to withhold any benefit from him [viz., the guest, unless he ate with him],
  - H he [the guest] should not eat until he has tithed [the produce].
- **4:3** A R. Eliezer says, "A man need not designate poor man's tithe from *demai* produce,"
  - B and sages say, "He designates [poor man's tithe] but he need not separate [it]."
- **4:4** A He who designated heave offering of the tithe, or poor man's tithe from certainly untithed produce
  - B should not take them [actually separate and distribute them] on the Sabbath.
  - C But if a priest or a poor man were accustomed to eat with him,
  - D they may come and eat [the tithes],
  - E but only if he informs them [that they are eating tithe].
- **4:5** A He who says to one who is not [deemed] trustworthy in the matter of tithing, "Purchase for me from someone who is trustworthy, or from someone who separates tithes,"
  - B he [viz., the agent] is not believed.
  - C [If the sender says, "Purchase for me] from so-and-so,"
  - D behold, this one [the agent] is believed.
  - E [If] he went to purchase from him, and [subsequently returned and] said to him [the sender], "I did not find him, but I purchased for you from someone else who is trustworthy,"
  - F he is not believed.

- **4:6** A He who enters a city, and does not know anyone there,
  - B [and] he said, "Who here is trustworthy? Who here separates tithes?"
  - C [and] one said to him, "I do"—
  - D he is not believed.
  - E [If] he said, "So-and-so is trustworthy,"
  - F behold, this one is believed.
  - G [If] he went to purchase from him, and said to him, "Who here sells old [produce, viz., from the previous year, which may be eaten before the offering of the sheaf from the new year's crop; cf. Lev. 23:14 and M. Men. 10:5]?"
  - H [and] he [the one announced to be trustworthy] said to him, "The one who sent you to me,"
  - I even though they are like those who render service to each other [by mutual recommendations],
  - J behold, they are believed.
- **4:7** A [Regarding] the ass drivers who entered the city,
  - B [and] one [of them] said, "My [produce] is new [this year's produce, which is prohibited before the offering of the sheaf; cf. G above], and that of my companion is old [last year's produce, which may be eaten before the offering of the sheaf];
  - C "my [produce] is not tithed, and that of my companion is tithed"—
  - D they are not believed.
  - E R. Judah says, "They are believed."
- **5:1** A He who purchases [a loaf of bread] from the [*Am haares*] baker,
  - B how does he tithe [it]?
  - C He takes [separates] an amount sufficient for heave offering of the tithe and dough offering,
  - D and says, "One from a hundred [one-hundredth part] of that which is here [that which has been set apart],
  - E "behold, at this side [of the loaf] is [made first] tithe,
  - F "and the remainder of the [first] tithe [nine-tenths, or nine-hundredths of the whole loaf] is adjacent to it.
  - G "This [hundredth part] which I have made [first] tithe is [now] made heave offering of the tithe for it (for the designated remainder of the first tithe],
  - H "and the rest [of what has been set apart] is dough offering.
  - I "And second tithe is to the north of it, or to the south of it [of the designated remainder of the first tithe], and it is redeemed with coins."
- **5:2** A He who wishes to separate [from fully untitled produce] heave offering and heave offering of the tithe together [in a single act of separation]
  - B takes one [part] from thirty-three and a third [three-hundredths of the whole],
  - C and says, "One from one hundred of that which is here [one-hundredth part from among the three-hundredths parts set apart],
  - D "behold, at this side [of the produce] is unconsecrated produce [here, untitled produce from which heave offering alone has been removed, as distinct from the portion which is being designated as consecrated heave offering],
  - E "and the rest [of the three-hundredths parts, two hundredths, or one fiftieth (cf. M. Ter. 4:3)] is heave offering for the whole [of the produce],
  - F "and [the] one-hundredth [part of] unconsecrated produce which is here,
  - G "behold, this at this side is [made first] tithe,

- H "and the remainder of the [first] tithe is adjacent to it.
- I "That which I made [first] tithe [the hundredth part] is [now] made heave offering of the tithe for it [for the designated remainder of the first tithe],
- J "and the rest is dough offering.
- K "And second tithe is to the north of it, or to the south of it [of the designated remainder of the first tithe], and is redeemed with coins."
- **5:3** A "He who purchases [bread] from the [*Am haares*] baker
  - B "separates tithes from the warm [freshly baked bread] for the cold, and from the cold for the warm,
  - C "even from many [diverse] molds,"
  - D the words of R. Meir.
  - E R. Judah forbids,
  - F for I say [suppose], "Yesterday's wheat was [derives] from one man, and today's wheat was from another [yesterday's grain may have been tithed, while today's has not been, or *vice versa*]."
  - G R. Simeon forbids with regard to heave offering of the tithe, and permits with regard to dough offering.
- **5:4** A "He who purchases from a [bread] merchant [or, "bread store"]
  - B "separates tithes from each mold individually,"
    - C the words of R. Meir.
    - D R. Judah says, "[He separates tithes] from one [mold] for all."
    - E R. Judah concedes in the case of one who purchases from a monopolist that he separates tithes from each mold individually.
- 5:5 A He who purchases from the poor man,
  - B and, similarly, the poor man to whom they gave slices of bread or pieces of fig cake,
  - C separates tithes from each [gift] individually.
  - D But with regard to dates or dried figs, he mixes them [into a mass] and takes [tithes from the whole mass].
  - E Said R. Judah, "When? [under what circumstances?]
  - F "When (each] gift is abundant.
  - G "But when [each] gift is little,
  - H "he separates tithes from each [gift] individually."
- **5:6** A He who purchases from the wholesale dealer [in wheat],
  - B and returned and purchased from him a second time,
  - C should not separate tithes from the one [portion] for the other,
  - D even (if he purchased again] from the same hamper,
  - E even [if he purchased again] from the same type.
  - F The wholesaler is believed to say that they (derive] from the same [supply].
- **5:7** A He who purchases from the householder,
  - B and returned and purchased from him a second time,
  - C separates tithes from the one [portion] for the other,
  - D even [if he purchased] from two [different] baskets,
  - E even [if the produce derives] from two [different] towns.

- F The householder who was selling vegetables in the marketplace,
- G when they bring to him [vegetables] from his own gardens—
- H he [the purchaser] separates tithes from one [item] for all,
- I and [when they bring] from the gardens of others—
- J he [the purchaser] separates tithes from each [item] individually.
- **5:8** A He who purchases fully untitled produce from two places [vendors]
  - B tithes from the one [portion] for the other,
    - C even though they [the sages] have said, "A man is permitted to sell fully untitled produce only in a case of need [in an emergency]."
- **5:9** A They separate tithes from [produce] of Israelites for [produce] of gentiles,
  - B from [produce] of gentiles for [produce] of Israelites,
  - C from [produce] of Israelites for [produce] of Samaritans,
  - D [and] from [produce] of Samaritans for [produce] of [other] Samaritans.
  - E R. Eleazar prohibits [separating tithes] from [produce] of Samaritans for [produce] of [other] Samaritans.
- **5:10** A A perforated pot—
  - B behold, this is like the earth.
  - C [If one] separated heave offering from [produce grown in] the earth for [produce grown in] a perforated pot,
  - D or from [produce grown in] a perforated pot for [produce grown in] the earth,
  - E his [act of separating] heave offering is [deemed a valid separation of] heave offering.
  - F [If he separated heave offering] from [produce grown in a pot] which is not perforated for [produce grown in one] which is perforated,
  - G it is [deemed to be] heave offering, but he should again separate heave offering [from the produce grown in the perforated pot].
  - H [If he separated heave offering] from [produce grown in a pot] which is perforated for [produce grown in one] which is not perforated,
  - I it is [deemed to be] heave offering, but it should not be eaten [by a priest] until he shall have separated for it [for the newly designated heave offering] heave offering and tithes (from other produce].
- **5:11** A [If] one separated heave offering from *demai* produce for [other] *demai* produce,
  - B [or] from *demai* produce for certainly untithed produce,
  - C it is [deemed to be] heave offering, but he again should separate heave offering [from the other *demai* produce, or from the certainly untithed produce].
  - D [If he separated heave offering] from certainly untithed produce for *demai* produce,
  - E it is [deemed to be] heave offering, but it may not be eaten [by a priest] until he shall have separated for it [for the newly designated heave offering] heave offering and tithes.
- **6:1** A He who sharecrops a field for an Israelite, for a gentile, or for a Samaritan, [receiving for his work a fixed percentage of the total yield,] divides [the produce] in their [the owner's] presence.
  - B He who leases a field from an Israelite[, paying the owner a fixed amount of produce, regardless of the total yield,] separates [only] heave offering [from the whole] and [then] gives to him [to the owner, his rental from the tithed produce].

- C Said R. Judah, "When? [Under what circumstances?]
- D "In the case in which he [the tenant farmer] gave him [the owner] [produce] of the same field [from which he had contracted to give him] and of the same kind [that he had contracted to give him].
- E "But if he gave him [produce] of a different field or of a different kind, he separates tithes and [then] gives to him [his rental from the tithed produce]."
- **6:2** A He who leases a field from a gentile separates [heave offering and] tithes and [then] gives to him [his rental from the tithed produce].
  - B R. Judah says, "Also he who sharecrops his father's field for a gentile separates tithes and [then] gives to him [his portion from the tithed produce]."
- **6:3** A A priest or a Levite who sharecropped a field for an Israelite
  - B just as they [the sharecropper and the landowner] divide [between them] the unconsecrated produce, so they divide [between them] the heave offering [or first tithe].
  - C R. Eliezer says, "The [heave offering or] tithes belong to them [to the priest or Levite],
  - D "for on this account did they come [to sharecrop the field]."
- 6:4 A An Israelite who sharecropped [a field] for a priest or a Levite
  - B the tithes belong to the owners.
  - C R. Ishmael says, "The provincial who sharecropped a field for a Jerusalemite—
  - D "second tithe belongs to the Jerusalemite."
  - E And sages say, "The provincial himself is able to go up and to eat it in Jerusalem."
- 6:5 A He who sharecrops olive trees for oil—
  - B just as they [the sharecropper and the landowner] divide [between them] the unconsecrated produce, so they divide [between them] the heave offering [and tithes].
    - C R. Judah says, "An Israelite who sharecropped for a priest or a Levite olive trees for oil,
  - D "for half of the profit [from its sale]—
  - E "the tithes belong to the owners."
- 6:6 A Two [men] who gathered [the grapes of] their vineyards into a single winepress—
  - B one [who] separates tithes and the other [who] does not separate tithes—
    - C the one who separates tithes tithes his own [share of the wine] and his portion [of the grapes] wherever it may be.
- 6:7 A Two [men, viz., one who separates tithes and one who does not separate tithes] who [jointly] sharecropped a field, or inherited [a field], or became joint owners—
  - B he [the one who separates tithes] may say to him [the one who does not separate tithes], "You take the wheat in such-and-such a place and I [will take] the wheat in such-and-such a place;
  - C "you [take] the wine in such-and-such a place and I [will take] the wine in such-and-such a place."
  - D But he may not say to him, "You take the wheat and I [will take] the barley;
  - E "you take the wine and I will take the oil."

- **6:8** A A *haber* and an *Am haares* who inherited [the property of] their father, [who was] an *Am haares*
  - B he [the *haber* brother] may say to him [the *Am haares* brother], "You take the wheat in such-and-such a place and I [will take] the wheat in such-and-such a place;
  - C "you [take] the wine in such-and-such a place and I [will take] the wine in such-and-such a place."
  - D But he may not say to him, "You take the wheat and I will take the barley;
  - E "you take the wet produce [susceptible to uncleanness] and I will take the dry [insusceptible] produce."
- **6:9** A A proselyte and a gentile who inherited [the property of] their father, [who was] a gentile—
  - B he [the proselyte brother] may say to him [the gentile brother], "You take the idols and I [will take] the coins;
  - C "you [take] the wine and I [will take] the produce."
  - D And if [he said this] after it [the property] came into his possession,
  - E this [arrangement] is forbidden.
- **6:10** A He who sells produce in Syria and said, "It is from the Land of Israel [and thus liable to tithing]"—
  - B he [the purchaser] must tithe [the produce].
  - C [If the vendor subsequently said,] "It is tithed,"
  - D he is believed,
  - E for the mouth which forbade is the mouth which permitted.
  - F [If the vendor said,] "It is from my [field, and thus liable to tithing]"—
  - G he [the purchaser] must tithe [the produce].
  - H [If the vendor subsequently said,] "It is tithed,"
  - I he is believed,
  - J for the mouth which forbade is the mouth which permitted.
  - K But if it was known that he [the vendor] owns a field in Syria,
  - L he (the purchaser] must tithe [the produce].
- **6:11** A An *Am haares* who said to a *haber* [who is going to the market], "Buy for me a bunch of vegetables," or "Buy for me a white bread"—
  - B [if] he [the *haber*] buys without specifying [which item is for himself and which is for the *Am haares*],
  - C he is exempt [from tithing the item which he gives to the *Am haares*].
  - D But if he [the *haber*] said, "This one is mine and that one is my fellow's," and they became mixed together,
  - E he must tithe [all of the items]
  - F even if they [viz., the *Am haares'* items of produce] are a hundred.
- 7:1 A He who invites his friend to eat with him [on the Sabbath],
  - B and he [the friend] does not trust him [the host] in the matter of tithing—
  - C he [the friend] says [stipulates] on the eve of the Sabbath [before the Sabbath begins],
  - D "That which I shall separate tomorrow [one hundredth part of the whole],
  - E "behold, it is [made first] tithe,
  - F "and the remainder of the [first] tithe is adjacent to it.

- G "That which I have made [first] tithe is [now] made heave offering of the tithe for it [for the remainder of the first tithe, nine hundredths of the whole, adjacent to the specified hundredth part],
- H "and second tithe is to the north of it, or to the south of it [of the designated remainder of the first tithe], and is redeemed with coins."
- **7:2** A They mixed for him a cup [of wine]—
  - B he says,
  - C "That which I shall leave at the bottom of the cup,
  - D "behold, it is [made first] tithe,
  - E "and the remainder of the [first] tithe is adjacent to it.
  - F "That which I have made [first] tithe is [now] made heave offering of the tithe for it [for the remainder of the first tithe],
  - G "and second tithe is at its mouth [at the mouth of the cup], and is redeemed with coins."
- **7:3** A A laborer who does not trust the householder [viz., his employer, who takes responsibility for the laborer's sustenance while he is at work,] takes a single dried fig and says,
  - B "This [fig] and the nine which follow it are made [first] tithe for the ninety [figs] which I [shall] eat.
  - C "This one is made heave offering of the tithe for them [for the following nine figs, which are the remainder of the first tithe],
  - D "and second tithe is in the last ones, and is redeemed with coins."
  - E And he reserves one dried fig.
  - F R. Simeon b. Gamaliel says, "He should not reserve (a fig],
  - G "for he [thereby] lessens the work [which he is capable of performing] for the householder [by not eating a full meal.]"
  - H R. Yose says, "He should not reserve [a fig],
  - I "for it is a condition imposed by the court [that the employer pays heave offering of the tithe]."
- **7:4** A He who purchases wine among the Samaritans [in a situation in which he cannot presently separate tithes but wishes to drink the wine,] says,
  - B "Two *logs* [out of one hundred] which I shall separate,
  - C "behold, these are [made] heave offering,
  - D "and [the following] ten [*logs* are made first] tithe,
  - E "and [the following] nine [*logs* are made] second tithe."
  - F He regards [the wine] as unconsecrated produce, and drinks it.
- **7:5** A [If] he had fully untithed figs at home, and he was in the study house, or in the field, he says,
  - B "Two figs [out of one hundred] which I shall separate,
  - C "behold, these are [made] heave offering,
  - D "and [the following] ten are [made first] tithe,
  - E "and [the following] nine are [made] second tithe."
  - F [If] they [the figs] were *demai*, he says,
  - G "That which I shall separate [viz., one fig out of one hundred],
  - H "behold, it is [made first] tithe,
  - I "and the remainder of the [first] tithe is adjacent to it.

- J "That which I made [first] tithe is [now] made heave offering of the tithe for it [for the designated remainder],
- K "and second tithe is to the north of it, or to the south of it [of the remainder], and is redeemed with coins."
- **7:6** A [If] there were before him two baskets of untitled produce, and he said,
  - B "The tithes of this one are in that one,"
    - C the first one is tithed [viz., he may eat from it, and separate tithes for it from the second basket].
    - D [If he said, "The tithes] of this one are in that one, and [the tithes] of that one are in this one,"
    - E the first one is tithed [but not the second].
    - F [If he said,] "Their tithes are [designated such that] the tithes of each basket are in the other,"
    - G he [validly] has designated [tithes for both of them].
- **7:7** A (1) One hundred [parts] of untithed produce [here, produce from which heave offering already has been separated, and] one hundred [parts] of tithed produce [which became mixed together, and one wishes to separate heave offering of the tithe from the mixture for its untithed part]—
  - B he takes [from the mixture] one hundred and one [parts].
  - C (2) One hundred [parts] of untithed produce [here, produce from which heave offering already has been separated, and] one hundred [parts] of [first] tithe [which became mixed together, and one wishes to separate heave offering of the tithe from the mixture for both the untithed produce and the first tithe]—
  - D he takes [from the mixture] one hundred and one [parts].
  - E (3) One hundred [parts] of fully tithed produce [and] one hundred [parts] of [first] tithe [which became mixed together, and one wishes to separate heave offering of the tithe from the mixture for the portion which is first tithe]—
  - F he takes [from the mixture] one hundred and ten [parts].
  - G (4) One hundred [parts] of untitled produce [as above, produce from which heave offering already has been taken] and ninety [parts] of [first] tithe,
  - H or ninety [parts] of untitled produce and eighty [parts] of [first] title [which became mixed together, and one wishes to separate heave offering of the title from the mixture for both the untitled produce and the first title]—
  - I he has lost nothing [viz., he separates only ten parts from the mixture and does not forfeit to the priest an additional part of the first tithe, as he must at C-D].
  - J This is the general rule;
  - K As long as the untitled produce is greater in quantity,
  - L he has lost nothing.
- **7:8** A He who had ten rows, each containing ten jugs of wine [from which heave offering already has been separated], and he said,
  - B (1) "One outside row is [designated as first] tithe [for the hundred jugs],"
  - C and it is not known which one it is,
  - D he takes two jugs from diagonally opposite corners, [one of which certainly is heave offering of the tithe for the hundred jugs].
  - E (2) [If he said,] "A half of one outside row is [designated as first] tithe [for fifty jugs],"
  - F and it is not known which one it is,

- G he takes four jugs from the four corners, [one of which certainly is heave offering of the tithe for the fifty jugs].
- H (3) [If he said,] "One row is [designated as first] tithe [for the hundred *jug*]",
- I and it is not known which one it is,
- J he takes one row diagonally, [in which one of the jugs certainly is heave offering of the tithe for the hundred jugs].
- K (4) [If he said,] "A half of one row is [designated as first] tithe [for fifty jugs] "
- L and it is not known which one it is,
- M he takes two rows diagonally, [in which one jug certainly is heave offering of the tithe for the fifty jugs].
- N (5) [If he said,] "A single jug is [designated as first] tithe [for ten jugs],"
- O and it is not known which one it is,
- P he takes [a tenth part] from each jug, [one of these parts certainly being heave offering of the tithe for the ten jugs].

## KILAYIM Irving Mandelbaum

- **1:1** A (1) Wheat and tares
  - B are not [considered] *Diverse kinds* with one another.
  - C (2) Barley and two-rowed barley,
    - (3) rice wheat and spelt,
      - (4) a broad bean and a French vetch,
    - (5) a red grasspea and a grasspea,
    - (6) and a hyacinth bean and a Nile cowpea,
  - D are not [considered] *Diverse kinds* with one another.
- **1:2** A (7) A chatemelon and a muskmelon
  - B are not [considered] *Diverse kinds* with one another.
  - C R. Judah says, "[They are considered] *Diverse kinds*."
  - D (8) Lettuce and hill lettuce,
    - (9) chicories and wild chicories,
    - (10) leeks and wild leeks,
    - (11) coriander and wild coriander,
    - (12) mustard and Egyptian mustard,
    - (13) and an Egyptian gourd and a remusah,
    - (14) and a cowpea and an asparagus bean,
  - E are not [considered] *Diverse kinds* with one another.
- **1:3** A (15) A turnip and rape,
  - (16) and a kale and a garden cabbage,
  - (17) spinach beets and garden sorrels,
  - B are not [considered] *Diverse kinds* with one another.
  - C Added R. Aqiba, "(18) A garlic and a chive,
    - (19) an onion and a shallot,
      - (20) and a lupine and a yellow lupine,

- D "are not [considered] Diverse kinds with one another."
- 1:4 And in [regard to] the tree: А
  - (1) Pears and crustaminum pears, В
    - (2) and quinces and hawthorns,
  - are not [considered] Diverse kinds with one another. С D
    - (1) An apple and a Syrian pear,
      - (2) peaches and almonds,
      - (3) jujubes and wild jujubes,
  - Е even though they are similar to one another,
  - they are [considered] Diverse kinds with one another. F
- 1:5 А (1) A radish and a rape
  - (2) mustard and wild mustard,
  - (3) a Greek gourd with an Egyptian [gourd] and the *remusah*
  - even though they are similar to one another, В
  - С they are [considered] Diverse kinds with one another.
- 1:6 А (1) A wolf and a dog
  - (2) a wild dog and a jackal,
  - (3) goats and gazelles,
  - (4) Nubian ibexes and fat-tailed sheep,
  - (5) a horse and a mule,
  - (6) a mule and an ass,
  - (7) an ass and an Arabian onager,
  - even though they are similar to one another, В
  - С they are [considered] Diverse kinds with one another.
- 1:7 А They do not graft
  - В [either] a tree onto a tree [of a different kind],
  - [or] a vegetable onto a vegetable [of a different kind], С
  - and neither [do they graft] a tree onto a vegetable, D
  - Ε nor a vegetable onto a tree.
  - F R. Judah permits [the grafting of] a vegetable onto a tree.
- 1:8 They do not plant vegetables in the stump of a sycamore tree, А
  - they do not graft rue onto a trifoliate orange [tree] [alt. translation: peganum], В
  - С because these are [grafts of] a vegetable onto a tree.
  - They do not plant a shoot of a fig [tree] in squill, D
  - so that [the latter] might cool [the former]: E
  - F they do not insert a vine shoot into a watermelon,
  - so that [the latter] might pour its water into [the former], G
  - because these are [grafts of] a tree onto a vegetable. Η
  - Ι They do not place a seed of a gourd in mallow,
  - J so that it might protect it,
  - Κ because it is [a graft of] a vegetable onto a vegetable [of a different kind].
- 1:9 А He who buries turnips or radishes under the vine—

- B if some of its leaves were exposed,
- C he does not fear,
  - (1) either because of [the laws of] Diverse kinds,
  - (2) or because of [the laws of] the Seventh Year
  - (3) or because of [the laws of] tithes;
- D and they are removed on the Sabbath.
- E He who sows wheat and barley together,
- F lo, this is [considered a sowing of] *Diverse kinds*.
- G R. Judah says, "It is not [considered a sowing of] *Diverse kinds*,
- H "(1) until there are [either] two [grains of] wheat and [one of] barley,
  - "(2) or [one of] wheat and two [of] barley,
    - "(3) or [one each of] wheat, barley, and rice wheat."
- **2:1** A [Concerning] every *seah* [of one kind of seeds] which contains a quarter [*-qab*] of another kind—he shall lessen [the quantity of seeds of the other kind, so that those seeds form less than a quarter-*qab*].
  - B R. Yose says, "He shall sift [out the other kind completely]."
  - C [And it makes no difference] whether [the quarter-*qab* consists] of one kind or two.
  - D R. Simeon says, "They only said [that he must lessen the quantity of seeds in the quarter*qab* when the latter consists solely] of one kind."
  - E And sages say, "Everything which is [considered] *Diverse kinds* with [the seeds of] the *seah* combines to [form] the quarter [-qab]."
- **2:2** A Under what circumstances?
  - (1) When grain [is mixed] with grain,
  - (2) and pulse with pulse,
  - (3) grain with pulse,
  - (4) and pulse with grain.
  - C But they said, "Garden seeds which are not eaten combine [to form an amount sufficient to prohibit the sowing of the *seah* when they total] one twenty-fourth of [the volume] which is sown in *bet seah*."
  - D R. Simeon says, "Just as they said [this ruling in order] to make [the law] more stringent [in one case], so did they say [the same ruling in order] to make [the law] more lenient [in another]:
  - E "Flax [which has been mixed] with [a *seah* of] grain combines [to form an amount sufficient to prohibit the sowing of the *seah* when it totals] one twenty-fourth of [the volume] which is sown in a *bet seah*."
- **2:3** A [If] his field was sown [with] wheat, and he decided to sow it [with] barley,
  - B he shall wait until [the wheat] sprouts radicles,
  - C and overturn [the soil], and afterwards sow [the barley].
  - D If [the wheat] has [already] sprouted [above ground],
  - E He should not say, "I shall sow [the barley] and afterwards overturn [the soil];"
  - F rather, he overturns [the soil], and afterwards sows [the barley].
  - G How much [of the field] should he plough (up]?
  - H [He should make furrows] like the furrows [ploughed after] a rainfall.
  - I Abba Saul says, "[He should plough enough] so that he shall not leave [unploughed the area which is sown by] a quarter [-qab of grain] in a bet seah."

- **2:4** A [If his field] was sown [with vegetables or grain] and he decided to plant it [with vines],
  - B he shall not say, "I shall plant and afterwards overturn [the soil];"
  - C rather, he overturns [the soil] and afterwards plants.
  - D [If his field] was planted [with vines] and he decided to sow it [with vegetables or grain],
  - E he shall not say, "I shall sow and afterwards uproot [the vines];"
  - F rather, he uproots [the vines] and afterwards sows.
  - G If he wanted, [however, to sow first], he cuts [the vines] until they are less than a handbreadth [high], and sows, and afterwards uproots [the vines].
- **2:5** A [If] his field was sown with carum or arum,
  - B he should not sow on top of them,
  - C for they produce [fruit] only [after] three years.
  - D (1) Grain among which aftergrowths of woad came up,
     (2) and so the threshing floors [lit.: the place of the threshing floors] in which many kinds came up,

(3) and so fenugreek which brought up [different] kinds of plants—

- E they do not require him to weed or cut down [some of them], they say to him, "Uproot everything, except for one kind."
- **2:6** A He who wishes to lay out his field [in] narrow beds of every kind [with each bed containing a different kind]—
  - B The House of Shammai say, "[He makes the beds as wide as the width of] three furrows of 'opening' [furrows ploughed for the purpose of 'opening' the field in order to collect rainwater]."
  - C And the House of Hillel say, "[He makes the beds as wide as] the width of the Sharon yoke."
  - D And the words of these [one House] are near the words of those [the other House; there is little difference between the two measurements.
- **2:7** A [If] the point of the angle of the field of wheat entered into [a field] of barley,
  - B it is permitted [to grow the wheat in the field of barley];
  - C for it [the point of the angle of the wheat field] looks like the end of his field.
  - D If [his field] was [sown with] wheat, and his neighbor's [field] was [sown with] another kind,
  - E it is permitted to flank it [his neighbor's field] [with some] of the same kind [as that of his neighbor's field].
  - F [If] his [field] was [sown with] wheat, and his neighbor's [field] was [also sown with] wheat,
  - G it is permitted to flank it [his field] [with] a furrow of flax but not [with] a furrow of another kind.
  - H R. Simeon says, "It is all the same whether [a furrow of] flax seeds or [a furrow of] any kind [flanks the field]."
  - I R. Yose says, "Even in the middle of his field it is permitted to test [the suitability of the soil for growing flax] with a furrow of flax."
- **2:8** A They do not flank a field of grain [with] mustard or safflower,
  - B but they flank a field of vegetables [with] mustard or safflower.
    - C And he flanks

- (1) uncultivated land
- (2) or newly broken land,
- (3) or a loose stone wall,
- (4) or a road,
- (5) or a fence ten handbreadths high,
- (6) or a ditch which is ten [handbreadths] deep and four [handbreadths] wide,
- (7) or a tree which shades the ground,
- (8) or a rock ten [handbreadths] high and four [handbreadths] wide.
- **2:9** A He who wishes to lay out his field [in] patches of every kind (with each patch containing a different kind]—
  - B (1) he lays out twenty-four patches to a *bet seah*,
    - (2) a patch to a *bet rova*,
  - C and sows in any kind that he wishes.
  - D "If there were one or two patches [in a field of grain], he sows them with mustard;
  - E "[but if there were] three [patches], he shalt not sow them [with] mustard,
  - F "for [then the field as a whole] looks like a field of mustard,"
  - G the words of R. Meir.
  - H And the sages say, "Nine patches are permitted, [but] ten are prohibited [it is permitted to lay out no more than nine patches of mustard in a field of grain.]"
  - I R. Eliezer b. Jacob says, "Even (if] his entire field is [the size of] a *bet kor*, he shall lay out only one patch in it."
- **2:10** A Everything which is within [an area the size of] a *bet rova* counts within the measure of the *bet rova*.
  - B (1) The ground required for a vine,
    - (2) or the grave,
    - (3) or the rock,

counts within the measure of the bet rova [even though these areas may not be sown].

- C (1) Grain [of one kind which is to be sown in a field containing mostly] grain [of another kind must itself cover an area of] a *bet rova*.
- D (2) Vegetables [of one kind which are to be sown in a field containing mostly] vegetables (of another kind must themselves cover an area of] six handbreadths [square].
- E (3) Grain [which is to be sown in a field containing mostly] vegetables, or
  (4) vegetables [which are to be sown in a field containing mostly] grain [must themselves cover an area of] a *bet rova*.
- F R. Eliezer says: "Vegetables [which are to be sown in a field containing mostly] grain [must themselves cover an area of] six handbreadths [square]."
- **2:11** A (1) [If] grain leans over grain [of another kind],
  - (2) or vegetables [lean] over vegetables [of another kind],
  - (3) [if] grain [leans] over vegetables,
  - (4) [or if] vegetables [lean] over grain—
  - B everything is permitted,
  - C except for the Greek gourd [any plant may be allowed to lean over any other plant, while the Greek gourd may not be allowed to lean over any plant].
  - D R. Meir says, "Even the chatemelon and the cowpea [may not be allowed to lean over any plant];
  - E "but I prefer their words to my own."

- **3:1** A A garden bed which is six handbreadths by six handbreadths—
  - B (1) they sow in it five [kinds of] seeds,
    - (2) four [along] the four sides of the garden bed and one in the middle.
  - C If it [the garden bed] had a border [measuring] a handbreadth high,
  - D (1) they sow in it thirteen [kinds],
  - (2) three on each and every border and one in the middle.
  - E He shall not plant the head of a turnip in the border,
  - F because it fills [spreads throughout] [the border].
  - G R. Judah says, "Six [kinds may be sown] in the middle [of a garden bed]."
- **3:2** A No kind of seeds do they sow in a garden bed,
  - B but all kinds of vegetables do they sow in a garden bed.
  - C Mustard and smooth chick-peas (alt. trans.: small chick-peas) [are considered] kind[s] of seeds,
  - D [while] large chick-peas [are considered] a kind of vegetable.
  - E A border which was [originally] a handbreadth high and became diminished [in height],
  - F is fit,
  - G for it was fit from [at] its inception.
  - H The furrow and the [dry] water channel which are a handbreadth deep—
  - I (1) they sow in them three [kinds of] seeds,
    - (2) one on one [side], one on the other [side], and one in the middle.
- **3:3** A [If] the point of the angle of a field of vegetables entered a field of another [kind of] vegetables,
  - B it is permitted [to grow one kind of vegetables in the field of the other kind];
  - C for it [the point of the angle of the vegetable field] looks like the end of his field.
  - D [If] his field was sown with [one kind of] vegetables, and he wishes to plant in it a row of another [kind of] vegetables—
  - E R. Ishmael says, "[He may not do so] unless the furrow is open [extends] from one end of the field to the other."
  - F R. Aqiba says, "[The row must measure] six handbreadths [in] length and fully as wide."
  - G R. Judah says, "The width [of the row] must be as wide as the width of the sole of a foot."
- **3:4** A He who plants two rows of chatemelons, two rows of gourds, [and] two rows of cowpeas—it is permitted.
  - B [He who plants] a row of chatemelons, a row of gourds, [and] a row of cowpeas— it is prohibited.
  - C [He who plants] a row of chatemelons, a row of gourds, a row of cowpeas and a row of chatemelons—
  - D R. Eliezer permits,
  - E and sages prohibit.
- **3:5** A A man plants a chatemelon and a gourd in a single hollow,
  - B provided that one leans to one side, and the other leans to the other side;
  - C and the foliage of one leans to this side, and the foliage of the other leans to the other side;
  - D for whatever the sages prohibited, they [so] decreed only on account of appearances.
- **3:6** A [If] his field was sown [with] onions, and he wishes to plant in it rows of gourds—

- B R. Ishmael says, "He uproots two rows [of onions] and plants one row [of gourds],
- C "and leaves the standing crop of onions over a space of two rows,
- D "and [again] uproots two rows [of onions] and plants one row [of gourds]."
- E R. Aqiba says, "He uproots two rows [of onions] and plants two rows [of gourds],
- F "and leaves the standing crop of onions over a space of two rows,
- G "and [again] uproots two rows [of onions] and plants two rows [of gourds]."
- H And sages say, "If there are not twelve *amot* between one row [of gourds] and the next, he shall not allow the seed [sown] between [the rows] to grow."
- **3:7** A Gourds [which are to be planted in a field containing mostly] vegetables [are considered] as vegetables [of one kind which are to be sown among another kind of vegetables] [the gourds require a space measuring six handbreadths square (= M. 2:10D)].
  - B And [concerning gourds which are to be planted in a field containing mostly] grain— they allow it [them] a *bet rova*.
  - C [If] his field was sown with grain, and he wished a row of gourds,
  - D they allow it [the row of gourds], as the area required for its tillage six handbreadths;
  - E and if [the gourd(s)] grew larger [the gourds extended beyond the area allotted for its tillage], he shall uproot [the grain] from before it.
  - F R. Yose says, "They allow it [the row of gourds] [as] the area required for its tillage, four *amot*."
  - G They said to him, "Will this [the rule in the case of the gourd] be more stringent than [the rule in the case of] the vine?"
  - H He said to them, "We have found that this [the rule in the case of the gourd] is more stringent than [the rule in the case of] the vine,
  - I "for to a single vine they allow its area for tillage, six handbreadths, but to a single gourd they allow a *bet rova*."
  - J R. Meir says in the name of R. Ishmael, "Wherever [there are] three gourds *per bet seah*, he shall not bring seed [of another kind] into the *bet seah*."
  - K R. Yose b. HaHotef the Ephrathi said in the name of R. Ishmael, "Wherever [there are] three gourds *per bet kor*, he shall not bring seed [of another kind] into the *bet kor*."

## 4:1 A [The] bald spot of the vineyard—

- B House of Shammai say, '[It] need measure twenty-four *amot*."
- C House of Hillel say, "[It need measure only] sixteen *amah* [square]."
- D [The] outer space of the vineyard—
- E House of Shammai say, "[It need measure] sixteen *amah*."
- F House of Hillel say, "[It need measure only] twelve *amah*."
- G And what is [the] bald spot of the vineyard?
- H A vineyard which is bare in its middle.
- I If there are not there [in the bald spot] sixteen *amah* [square of space], [then] he shall not put seed into it.
- J [If] there were there [in the bald spot] sixteen *amah* [square of space], [then] they allow it [the vineyard] its area of tillage and he sows the rest.
- **4:2** A What is [the] outer space of the vineyard?
  - B [The area] between the vineyard and the fence.
  - C If there are not there [in the outer space] twelve *amah* [of space], [then] he shall not put seed into it.

- D [If] there were there [in the outer space] twelve *amah* [of space], [then] they allow it [the vineyard] its area of tillage and he sows the rest.
- **4:3** A R. Judah says, "This [the space between the vineyard and the fence] is only [the area of] the fence of the vineyard.
  - B "And what is the outer space of the vineyard?
  - C "[The area] between two vineyards."
  - D What is [considered] a fence?
  - E [A fence] which is ten handbreadths high.
  - F And [what is considered] a ditch?
  - G [A ditch] which is ten [handbreadths] deep and four wide.
- **4:4** A The partition of reeds—
  - B if there are not between [one] reed and the next three handbreadths,
  - C sufficient [space] so that a kid may enter,
  - D lo, this is [considered] as a partition.
  - E And a fence which was breached—
  - F [if the breach measures] up to ten *amot* [wide],
  - G lo, this is [considered] as an opening [and the fence is still considered a valid divider];
  - H [if the breach measures] more than this [ten *amot*],
  - I opposite the breach it is prohibited [to sow a kind different from that on the other side of the fence].
  - J [If] many breaches were breached in it [the fence]—
  - K if the [combined measure of the parts of the fence which remain] standing exceeds the [combined measure of those parts which were] breached,
  - L it is permitted [to sow *Diverse kinds* on opposite sides of the fence];
  - M and if the [combined measure of the parts which were] breached exceeds the [combined measure of those parts which remain] standing,
  - N opposite the breach it is prohibited [to sow a kind different from that sown on the other side of the fence].
- **4:5** A He who plants a row of five vines—
  - B House of Shammai say, "[It is considered] a vineyard,"
    - C House of Hillel, say, "[It is] not [considered] a vineyard,
    - D "unless there are there two rows."
    - E Therefore,
    - F he who sows [within the] four *amot* which are [allotted as the area of tillage] in the vineyard—
    - G House of Shammai say, "He has sanctified [prohibited the use of] one row [of vines]."
    - H House of Hillel say, "He has sanctified [prohibited the use of] two rows [of vines]."
- **4:6** A He who plants two [vines] opposite two [others] and one extending out [like a] tail—
  - B lo, this is [considered] a vineyard.
  - C [If there are] two [vines planted] opposite two [others] and one is between [two of the opposing vines],
  - D or [if there are] two [vines planted] opposite two [others] and one is in the middle [equidistant from all four vines]—
  - E this [the vines in these patterns] is not [considered] a vineyard,

- F unless there are two [vines planted] opposite two [others] and one extending out [like a] tail.
- **4:7** A He who plants one row [of vines] in his own [field],
  - B and one row [of vines also grows] in his neighbor's [field]—
  - C and a private road or a public road are in the middle [between the two rows of vines]—
  - D or a fence lower than ten handbreadths [separates the two rows of vines]—
  - E lo, these [two rows] combine [to form a vineyard].
  - F [If the fence] is higher than ten handbreadths,
  - G they do not combine [to form a vineyard].
  - H R. Judah says, "If he trained [the vines] over [the fence],
  - I "lo, [the two rows of vines] combine [to form a vineyard]."
- **4:8** A He who plants two rows [of vines]—
  - B if there are not between them eight *amot*, he shall not put seed into it.
  - C [If] there were three rows [of vines]—
  - D if there are not between one row and the next sixteen *amot*, he shall not put seed into it.
  - E R. Eliezer b. Jacob says in the name of Hananiah b. Hakhinai, "Even if the middle [row] was laid waste, and there are not between one row and the next sixteen *amot*, he shall not put seed into it,
  - F "though if from the outset he had planted [two rows], lo, this [sowing seed between the rows] is permitted with eight *amot* [between the rows]."
- **4:9** A He who plants his vineyard by [intervals of] sixteen *amah*, sixteen *amah* [in rows sixteen *amot* apart]—it is permitted to put seed into it [the area between the rows].
  - B Said R. Judah, *M'SH B*: In Salmon one planted his vineyard by [intervals of] sixteen, sixteen *amah*,
  - C "and he would turn the foliage of two rows to one side and sow the cleared land.
  - D "And in the next year he would turn the foliage to another place [to the area which he had sown in the previous year] and sow the uncultivated land.
  - E "And the case came before sages and they permitted [his actions]."
  - F R. Meir and R. Simeon say, "Even he who plants his vineyard by [intervals of] eight, eight *amot*—it is permitted [to put seed into the area between the rows]."
- 5:1 A A vineyard which lay waste—
  - B if there are in it [enough vines to enable one] to gather ten vines per *bet seah*,
  - C and they are planted according to the rule [pertaining to] them,
  - D lo, this is called a "lean" vineyard.
  - E A vineyard which is planted in an irregular manner—
  - F if there are in it [vines which are so arranged that one is able] to align two [vines] opposite three [others],
  - G lo, this is [considered] a vineyard.
  - H And if not [if two vines may not be aligned opposite three others],
  - I it is not [considered] a vineyard.
  - J R. Meir says, "Since it [the irregularly planted vineyard] looks [in form] like the pattern of vineyards [in general],
  - K "lo, this is [considered] a vineyard."

- **5:2** A A vineyard which is planted by [intervals of] less than four *amot*
  - B R. Simeon says, "[It] is not [considered] a vineyard."
  - C And sages say, "[It is considered] a vineyard."
  - D And they [sages] regard the middle [rows] as if they are not [there].
- **5:3** A A ditch which passes through a vineyard [and measures] ten [handbreadths] deep and four wide—
  - B R. Eliezer b. Jacob says, "If [the ditch] was open, [extending] from the beginning of the vineyard to its end,
  - C "lo, this appears as [if it extends] between two vineyards,
  - D "and they sow [another kind] in it.
  - E "And if not [if the ditch is not open],
  - F "lo, this is (considered] like the winepress."
  - G And the winepress which is in the vineyard [and measures] ten [handbreadths] deep and four wide—
  - H R. Eliezer says, "They sow [another kind] in it."
  - I And sages prohibit [sowing another kind in it].
  - J The watchman's booth which is in the vineyard [and measures] ten [handbreadths] high and four wide—
  - K they sow [another kind] in it [on top of it].
  - L And if it is overhung by interlaced foliage,
  - M it is prohibited [to sow another kind in it].
- **5:4** A vine which is planted in the winepress or in the hollow—
  - B they allow it its area of tillage and he sows the rest.
  - C R. Yose says, "If there are not there four *amot* [of space], he shall not put seed into it."
  - D And the house which is in the vineyard—
  - E they sow [another kind] in it.
- **5:5** A He who plants vegetables in the vineyard or allows them to grow,
  - B lo, this one sanctifies [prohibits the use of] forty-five vines.
    - C When [is this the case]?
    - D When (the vines] were planted by [intervals of] four, four [*amot*, i.e., the vines were separated from one another by four *amot* in four directions], or by [intervals of] five, five [*amot*, i.e., the vines were separated from one another by five *amot* in four directions].
    - E [If the vines] were planted by [intervals of] six, six [*amot*, i.e., the vines were separated by six *amot* in four directions], or by [intervals of] seven, seven [*amot*, i.e., the vines were separated from one another by seven *amot* in four directions],
    - F lo, this one sanctifies [prohibits the use of the vines planted within] sixteen *amah* in each direction,
    - G [measured] in circles but not in squares: The vines are forfeit that lie within a circle of sixteen-cubit radius, not within the square that contains the circle].
- **5:6** A He who sees vegetables [growing] in the vineyard and said, "When I shall reach it [the vegetables] I shall pluck it"—
  - B it is permitted [the vegetables and surrounding vines are not sanctified].
  - C [If he said,] "When I shall return I shall pluck it"—
  - D if [in the meantime] it [the vegetables] increased [in size] by [one] two-hundredth,

- E it is prohibited [the vegetables and the surrounding vines are sanctified].
- **5:7** A [If] he was passing through the vineyard, and seeds fell from him [from those which he was carrying]—
  - B or [if seeds] went out [into the vineyard] with the dung [used in manuring the vineyard] or with the water [which irrigated the vineyard]—
  - C he who sows [in the field of grain (Y)] and the wind blew [the seeds] behind him [into the nearby vineyard]—
  - D it is permitted.
  - E [If] the wind blew [the seeds] before him—
  - F R. Aqiba says, "If [he allowed the seeds to grow until they yielded] blades, he shall overturn [them].
  - G "And [he allowed the seeds to grow until they reached] an early ripening, he shall break [the ears] off.
  - H "And if [he allowed the seeds to grow until they] yielded [fully ripened] grain—it shall be burnt."
- **5:8** A He who allows thorns to grow in the vineyard—
  - B R. Eliezer says, "He has sanctified [the surrounding vines of the vineyard]."
  - C And sages say, "He does not sanctify [the surrounding vines of the vineyard],
  - D "except [when he allows to grow] something the like of which they allow to grow."
  - E (1) Iris, and (2) ivy, and (3) a white lily,
  - F and all kinds of [plants grown for the sake of their seed],
  - G are not [considered] *Diverse kinds* in the vineyard.
  - H (4) Hemp—
  - I R. Tarfon says, "It is not [considered] *Diverse kinds* [in the vineyard]."
  - J And sages say, "[It is considered] *Diverse kinds* [in the vineyard]."
  - K (5) And the globe artichoke is [considered] *Diverse kinds* [in the vineyard].
- **6:1** A What is an espalier?
  - B He who plants a row of five vines beside a fence which is ten handbreadths high, or beside a ditch which is ten handbreadths deep and four wide—
  - C they allow it its area of tillage of four *amot*.
  - D House of Shammai say, "They measure four *amot* from the base of the vines to the field."
  - E House of Hillel say, "From the fence to the field."
  - F Said R. Yohanan b. Nuri, "All err who say so.
  - G "Rather, [the four *amot* are measured as follows:] If there are four *amot* from the base of the vines to the fence, they allow it its area of tillage and he sows the rest."
  - H And how much is the area of tillage of a [single] vine?
  - I Six handbreadths in all directions.
  - J R. Aqiba says, "Three [handbreadths]."
- 6:2 A An espalier which projects from a terrace—
  - B R. Eliezer b. Jacob says, "If he [can] stand on the ground and harvest all of it [harvest all of the grapes of the espalier's vines], lo, this [espalier] prohibits four *amot* in the field [below].

- C "And if not [if he cannot harvest all of the grapes of the espalier's vines while standing on the ground], [the espalier] prohibits only that [part of the field which lies] opposite [under] it."
- D R. Eliezer says, "Even he who plants one on the ground and one on the terrace—
- E "if [the row on the terrace] is ten handbreadths higher than the ground, it does not combine with it [with the row on the ground] [to form a vineyard].
- F "And if not [if the row on the terrace is not ten handbreadths higher than the ground], lo, this [row on the terrace] combines with it [the row on the ground] [to form a vineyard]."
- **6:3** A He who trains a vine over some of the laths [of a lattice-work] shall not put seed under the remaining [laths].
  - B If he did put [seed there], he has not sanctified [the seeds underneath].
  - C And if the new growth [of the vine] spread [over the rest of the laths], it is prohibited [the seeds underneath are sanctified].
  - D And so [is the rule for] he who trains [a vine] over part of a barren tree.
- **6:4** A He who trains a vine over part of a fruit tree— it is permitted to put seed under the remainder [of the tree].
  - B And if the new growth [of the vine] spread [over the rest of the tree], he shall turn it [the new growth] back.
  - C *M'SH Š: R.* Joshua went to R. Ishmael at Kefar Aziz, and he showed him a vine which was trained over part of a fig tree.
  - D [R. Joshua] said to him, "May I put seed under the remainder [of the tree]?"
  - E [R. Ishmael] said to him, "It is permitted."
  - F And he brought him up from there to Bet Hamaganyah, and he showed him a vine which was trained over part of a branch and a trunk of a sycamore tree, in which there were many branches.
  - G [R. Ishmael] said to him, "Under this branch it is prohibited [to put seed], under the rest [of the branches] it is permitted."
- **6:5** A What is [considered] a barren tree?
  - B Every [tree] which does not produce fruit.
  - C R. Meir says, "Every tree is [considered] a barren tree, except for the olive tree and the fig tree."
  - D R. Yose says, "Every [tree] the like of which they do not plant as whole groves, lo, this is [considered] a barren tree."
- **6:6** A Gaps of an espalier [must measure] eight *amot* and a little more [in order to be sown with another kind].
  - B And all of the dimensions of which sages spoke in [reference to] the vineyard— there is no [mention of] "and a little more" in them, except for [the dimensions of] the gaps of an espalier.
  - C What are [considered] the gaps of an espalier?
  - D An espalier which lies waste at its center and there remained in it five vines on one side [of the center] and five vines on the other—
  - E if there are there [between the two groups of vines] eight *amot*, he shall not put seed there.
  - F [If there are between the two groups of vines] eight *amot* and a little more, they allow it [each group of vines] enough [space] for its area of tillage, and he sows the rest.

- **6:7** A An espalier which projects along a wall from the corner [formed by two walls] and stops [in the middle of the wall]—they allow it its area of tillage and he sows the rest.
  - B R. Yose says, "If there are not there four *amot*, he shall not put seed there."
- **6:8** A The reeds which project beyond the espalier—
  - B and he refrains from cutting them short—
  - C opposite [under] them, it is permitted [to sow another kind].
  - D [If] he prepared them so that the new growth [of the vines] would spread over them, it is prohibited [to sow another kind under them].
- 6:9 A The blossom [of the vine] which projects beyond the espalier—
  - B they regard it as if a plummet were suspended from it—
  - C opposite [under] it, it is prohibited [to sow another kind].
  - D And so [is the rule] for [a blossom which projects beyond] a trained vine.
  - E He who extends a vine shoot from tree to tree—
  - F under it, it is prohibited [to sow another kind].
  - G [If] he attached to it rope or reed grass,
  - H [the space] under that which is attached, it is permitted [to sow another kind].
  - I [If] he prepared it so that the new growth [of the vines] would spread over it, it is prohibited [to sow another kind under it].
- 7:1 A He who sinks a vine shoot into the ground—
  - B if the soil on top of it does not [measure] three handbreadths [high],
  - C he shall not put seed on top of it [the underground vine],
  - D even if he sank it in a gourd or pipe.
  - E [If] he sank it in stony ground—
  - F even though the soil on top of it [measures] only three fingerbreadths [high]—
  - G it is permitted to put seed on top of it [the underground vine].
  - H The "knee" of the vine shoot [the part of the vine that is bent under the ground]—they measure for it [its area of tillage] only from the second root from the spot at which the vine grows new roots].
- **7:2** A (1) He who sinks three vine shoots (2) and their roots [the roots of the layers (new vines)] are visible—
  - B R. Eleazar b. Sadoq says, "If there are between them [between the layers and the parent vines] from four to eight *amot*, lo, these [the layers and the parent vines] combine [to form a vineyard].
  - C "And if not, they do not combine [to form a vineyard]."
  - D A vine which withered is prohibited [it is prohibited to sow near it] but it does not sanctify [the seeds sown near it].
  - E R. Meir says, "Also: [the] cotton [tree] is prohibited, [it is prohibited to sow near it], but it does not sanctify [the seeds sown near it]—,'
  - F R. Eleazar b. Sadoq says in his name, "Also on top of the vine shoot it is prohibited [to sow], but it [the vine shoot] does not sanctify [the seeds sown above it]."
- **7:3** A These prohibit but do not sanctify [prohibits the use of the seeds sown in them]:

- В (1) The remainder of the waste area of the vineyard, (2) the remainder of the outer space of the vineyard, (3) the remainder of the gaps of an espalier, (4) the remainder of the [latticework of] laths. С But (1) [the area] under the vine, and (2) the area of tillage of the vine, and (3) the four *amot* of the vineyard, lo, these sanctify [prohibits the use of the seeds sown in them]. 7:4 He who trains his vine over the grain of his neighbor, lo, this one has sanctified [the grain А underneath the vines] and is liable for its replacement. R. Yose and R. Simeon say, "A man does not sanctify something which is not his own." В 7:5 Said R. Yose, "M'SH B: One sowed his own vineyard in the Seventh Year, and the case А came before R. Aqiba, and he said, 'A man does not sanctify something which is not his own.' " 7:6 The usurper who sowed a vineyard— А В and it left his possession-С [the rightful owner] cuts down [the other kind], D even on a festival. E How much more does he pay the workers [for cutting down the other kind on the intermediate days of a festival]? F Up to a third [more than their usual wages]. G [If they demand] more than this, Η he continues to cut [it] down in his [usual] manner, even [if he does not finish cutting it down until] after the festival. Ι J At what point is [the vineyard] called [that of the] usurper? At the point that [the vineyard] settles. Κ 7:7 А Wind which hurled vines on top of grain he should cut them [the vines] down at once. В С If an unavoidable accident befell him [and he could not immediately cut down the vines], it is permitted [the grain is not sanctified]. Grain which sways under the vine, D and so [is the rule] in [the case of] vegetables [which sway under the vine]-Е F he returns [the grain or the vegetables to their original positions] and does not sanctify [forfeit the vines]. At what point does grain become sanctified? G At the point that it strikes root. Η And [at what point do] grapes [become sanctified]? Ι J At the point that they become like [the size of] a hyacinth bean. Κ Grain which has become fully dried or grapes which have fully ripened do not become sanctified. A perforated pot [containing another kind] sanctifies [prohibits the use of the vines when 7:8 А located] in the vineyard.
  - B And that [pot containing another kind] which is unperforated does not sanctify [prohibit the use of the vines when located in the vineyard].

- C And R. Simeon says, "Both [perforated and unperforated pots containing another kind] prohibit [it is prohibited to place them in a vineyard] but do not sanctify [prohibit the use of the vines when located in the vineyard]."
- D He who carries a perforated pot [containing another kind] through the vineyard—
- E if [while he carried the pot through the vineyard] it [the seeds of the other kind] increased in size by [one] two-hundredth—
- F it is prohibited [it sanctifies the vines].
- **8:1** A *Diverse kinds* of the vineyard [another kind growing in a vineyard] are prohibited from being sown and being allowed to grow,
  - B and are prohibited in respect to benefit [one may not profit from them in any way].
  - C *Diverse kinds* of seeds [two kinds of seeds growing together] are prohibited from being sown and being allowed to grow,
  - D but are permitted in respect to eating [one may eat the produce of the seeds],
  - E and all the more so in respect to benefit [one may profit from them].
  - F *Diverse kinds* of garments [garments composed of a mixture of wool and linen] are permitted in every respect [one may manufacture them],
  - G and are prohibited only from being worn.
  - H *Diverse kinds* of animals [the offspring of the mating of two kinds of animals] are permitted to be reared and maintained,
  - I and are prohibited only from being bred [one may not breed one kind of animal with another].
  - J *Diverse kinds* of animals [the offspring of the mating of two kinds of animals] are prohibited [may not be mated] with one another.
- **8:2** A (1) A domesticated animal with a domesticated animal,
  - (2) and a wild animal with a wild animal,
  - (3) a domesticated animal with a wild animal,
  - (4) and a wild animal with a domesticated animal,
  - B (1) an unclean [animal] with an unclean [animal],
    - (2) and a clean [animal] with a clean [animal],
    - (3) an unclean [animal] with a clean [animal],
    - (4) and a clean [animal] with an unclean [animal],
  - C are [each prohibited [from being joined together] to plough, draw [a wagon], or be led.
- **8:3** A He who leads [a pair of animals of different kinds] incurs the forty lashes.
  - B And he who sits in a wagon [drawn by a pair of animals of different kinds] incurs the forty [lashes].
    - C R. Meir exempts [one sitting in the wagon from the forty lashes].
    - D And a third [animal] which is tied to the harness [of a wagon drawn by a pair of animals of another kind] is prohibited.
- **8:4** A They do not tie a horse either to the sides of a wagon or to the rear of a wagon [drawn by a pair of animals of another kind],
  - B nor [do they tie] a Libyan ass to camels.
  - C R. Judah says, "All offspring of a [female] horse, even though their sires are ass[es], are permitted with one another.

- D "And so offspring of a [female] ass, even though their sires are horse[s], are permitted with one another.
- E "But the offspring of a [female] horse with [and] the offspring of a [female] ass are prohibited with one another."
- **8:5** A Mules of unknown parentage are prohibited [from being mated with one another].
  - B But a mule foaled by a horse is permitted [to be mated with a like animal].
  - C (1) And "wild men" are [considered a kind of] wild animal.
  - D R. Yose says, "[When dead] they convey uncleanness in a tent like a man."
  - E (2) A hedgehog and (3) a weasel are [each considered a kind of] wild animal.
  - F The weasel—
  - G R. Yose says, "House of Shammai say, '[When dead] it conveys uncleanness in an olive's bulk by being carried, and in a lentil's bulk by contact [to the person touching it].'"
- **8:6** A (1) A wild ox is [considered] a kind of domesticated animal.
  - B And R. Yose says, "[It is considered] a kind of wild animal."
    - C (2) A dog is [considered] a kind of wild animal.
    - D R. Meir says, "[It is considered] a kind of domesticated animal."
    - E (3) A swine is [considered] a kind of domesticated animal.
    - F (4) An Arabian onager is [considered] a kind of wild animal.
    - G (5) An elephant and a monkey are [considered] kind[s] of wild animal[s].
    - H And a man is permitted [to be joined] with all of them (with either a wild or domesticated animal] to pull [a wagon], plough, or be led.
- **9:1** A Nothing is prohibited on account of [the laws of] *Diverse kinds* except [a garment composed of a mixture of] wool and linen.
  - B Nor is anything susceptible to uncleanness through plagues except [a garment composed of either] wool or linen.
  - C Nor do priests wear anything to serve in the Temple except [garments composed of either] wool or linen.
  - D Camel's hair and sheep's wool which one hackled [combed] together—
  - E if the greater part is from the camels, it is permitted.
  - F But if the greater part is from the sheep, it is prohibited [to mix the fibers with flax].
  - G [If the quantity of camel's hair and sheep's wool is divided] half and half—it is prohibited [to mix the fibers with flax].
  - H And so [is the rule for] flax and hemp which one hackled together [if at least half of the hackled fibers are of flax, it is prohibited to mix them with wool].
- **9:2** A Silk and bast silk are not subject to [the laws of] *Diverse kinds*,
  - B but are prohibited for appearance's sake.
  - C Mattresses and cushions [composed of a mixture of wool and linen] are not subject to [the laws of] *Diverse kinds*,
  - D provided that one's flesh not be touching them [while one sits or lies on them].
  - E There is no [rule permitting] temporary use in respect to *Diverse kinds* [of garments].
  - F And one shall not wear [a garment of] *Diverse kinds* even on top of ten [garments],
  - G even to avoid [paying] customs duty.

- **9:3** A (1) Hand towels, (2) scroll wrappers, and (3) bath towels are not subject to [the laws of] *Diverse kinds*.
  - B R. Eliezer prohibits [they are subject to the laws of *Diverse kinds*].
  - C And barbers' towels are prohibited on account of [the laws of] *Diverse kinds*.
- **9:4** A (1) Shrouds and (2) a packsaddle of an ass are not subject to [the laws of] *Diverse kinds*.
  - B One shall not place a packsaddle [of *Diverse kinds*] on his shoulder,
    - C even to carry out dung upon it.
- 9:5 A Clothes dealers sell [garments of *Diverse kinds*] in their usual manner
  - B provided that they do not intend, in a hot sun, [for the garments to protect them] from the hot sun, or in the rain, [for the garments to protect them] from the rain.
    - C And the more scrupulous ones tie [the garments of *Diverse kinds*] on a stick.
- 9:6 A Tailors sew [garments of *Diverse kinds*] in their usual manner,
  - B provided that they do not intend, in a hot sun, [for the garments to protect them] from the hot sun, or in the rain, [for the garments to protect them] from the rain.
  - C And the more scrupulous ones sew [while sitting] on the ground [with the garments resting on the ground as well].
- **9:7** A (1) A birrus, and (2) a hooded cloak and (3) a dalmatic, and (4) shoes of coarse wool (alt. trans.: shoes of pinna)—
  - B he shall not put them on until he shall examine [them for *Diverse kinds*].
  - C R. Yose says, "Those [of the above items] which come from the seacoast or from distant lands do not require examination [for *Diverse kinds*],
  - D "for the presumption concerning them is [that they are composed] of hemp [and not flax]."
  - E A cloth shoe [alt. trans.: a cloth-lined shoe (Y Kil. 9:5)] is not subject to the laws of *Diverse kinds*.
- **9:8** A Nothing is prohibited on account of [the laws of] *Diverse kinds* except [wool and flax which are] spun or woven [together],
  - B as it is written, *You shall not wear shaatnez* (Dt. 22:11)— something which is hackled, spun, or woven.
  - C R. Simeon b. Eleazar says, "It is turned away, and turns his Father in Heaven against him."
- **9:9** A Felted stuffs [composed of wool and linen] are prohibited,
  - B because they are hackled [their fibers are hackled together].
  - C A fringe of wool [fastened] onto [a garment of] flax is prohibited,
  - D because [the threads of the fringe] interlace the web [of the garment].
  - E R. Yose says, "Cords composed of purple wool are prohibited [to be worn on a garment of flax],
  - F "because one bastes the cord to the garment before tying [the ends of the cord together]."
  - G One shall not tie a strip of wool to one of linen in order to gird his loins,
  - H even though a [leather] strap is between them.

- **9:10** A Marks of weavers and marks of washermen [which are composed of wool or linen and sewn respectively onto garments of linen or wool] are prohibited on account of the laws of *Diverse kinds*.
  - B He who fastens wool and linen together with a single fastening of thread—
  - C [the fastening] is not considered a connector [for uncleanness],
  - D and [the fabrics joined by the fastening] are not subject to the laws of *Diverse kinds*,
  - E and he who undoes [the fastening] on the Sabbath is exempt [from liability for tearing a stitch in order to sew another].
  - F If he brought both ends of the thread to one side [completing the stitch],
  - G [the stitch] is considered a connector [for uncleanness],
  - H and it [the fabrics joined by the stitch] is subject to [the laws of] *Diverse kinds*,
  - I and he who undoes it [the stitch] on the Sabbath is liable.
  - J R. Judah says, "[The above rules do not apply] unless he makes three [fastenings] [one complete and one incomplete stitch]."
  - K A sack and a basket [that are patched, one with wool and the other with linen, and then bound together,] combine to produce *Diverse kinds*.

## SHEBIIT

## Louis Newman

- A Until what time do they plough an orchard during the year preceding the Sabbatical year?
   B The House of Shammai say, "As long as [the ploughing] continues to benefit the produce [of the Sixth Year. Until that year's fruit ripens and is harvested]."
  - C But the House of Hillel say, "Until Pentecost."
  - D And the opinion of the one is close to the opinion of the other.
- **1:2** A What is [considered] an orchard?
  - B Any [field in which there are at least] three trees within a *seahs* pace [within an area large enough to plant a *seah* of seed].
  - C If [the trees] are capable of producing a loaf of pressed figs weighing sixty *maneh* according to the Italian [measurement],
  - D they plough the entire *seah* space for their [the trees'] benefit.
  - E [If the trees yield] less than this [amount of produce],
  - F they plough for their benefit only as far out [from the tree] as [the place where] the gatherer [stands] with his basket behind him.
- **1:3** A The same [law, M 1:2 C-F, applies both] to non-fruit-bearing trees [which do not yield edible produce] and fruit-bearing trees—
  - B they view them [in either case] as if they were fig trees. [They compare the size of these trees to that of fig trees].
  - C If the [three non-fruit-bearing trees in a *seah* space are the same size as three fig trees which would be] capable of producing a loaf of pressed figs weighing sixty *maneh* according to the Italian [measurement],
  - D they plough the entire *seah* space for their [the trees'] benefit.
  - E [If they are the size of fig trees which would produce] less than this [amount of produce],

- F they plough them only according to their need, [only in the immediate vicinity of the trees, as at E above].
- **1:4** A [If] one [of three trees planted in a *seah* space, cf. M. 1:2–3] yields a loaf of pressed figs [weighing sixty *maneh* according to the Italian measurement], but [the other] two do not [yield anything],
  - B or [if] two [of the trees] yield [the required amount] and [the other] one does not—
  - C they plough for [each of] them only according to their need. (Until Pentecost of the Sixth Year (according to the House of Hillel, M. 1:1C) farmers may plough only the area in the vicinity of the trees themselves. The remainder of the *seah* space, which is not filled by the trees' roots, is deemed a grain field. It may be ploughed only until Passover of the Sixth Year, in accordance with M. 2:1].
  - D [This law applies in cases of] from three to nine trees.
  - E [If] there were ten [trees],
  - F [or] upwards of ten,
  - G whether or not they [together] yield [the required amount]—
  - H they plough the entire *seah* space for their [the trees'] benefit. [That is, the *seah* space constitutes an orchard. Accordingly, the area in its entirety may be ploughed only until Pentecost of the Sixth Year (according to the House of Hillel, M. 1:1C)].
  - I [I-J provide a Scriptural basis for the rules at M. 1:1A-1:4H]. As it says in Scripture, [For six days you shall work, but on the seventh day you shall cease work; even] at ploughing time and harvesting time you shall cease work (Ex. 34:21).
  - J There is no need [for Scripture] to mention ploughing and harvesting of the Sabbatical year, [for these are expressly prohibited by Lev. 25:4–5]. Rather [Scripture refers to] ploughing on the eve of the Sabbatical year, [the benefits of] which extend into the Sabbatical year and harvesting [the crop of] the Sabbatical year which extends into the year following the Sabbatical.
  - K R. Ishmael says, "[Rather the verse teaches us that] just as ploughing, [which] is a voluntary act, [is prohibited on the Sabbath] so [only] harvesting [which likewise] is voluntary [is prohibited on the Sabbath].
  - L "This excludes harvesting the first sheaf [and is therefore permitted even in the Sabbath]." (cf. M. Men. 10:9).
- **1:5** A Three trees [in a *seah* space] belonging to three persons,
  - B lo, they [the trees] join together [to form a single orchard, in accordance with the definition stated at M. 1:2E-F],
  - C and [therefore] they [any of the three owners mentioned at A] plough the entire *seah* space for their [the trees'] benefit. [Farmers plough in this *seah* space only until they begin to harvest the fruit of the Sixth Year; see M. 1:1].
  - D And how much [space] must there be between them [the three trees in order that they form an orchard and so are subject to the rules of M. 1:2–3]?
  - E Rabban Simeon b. Gamaliel says, "Enough [space] so that an ox with its yoke may pass [between the trees]."
- **1:6** A [As regards] ten saplings which are spread out within a *seah* space—
  - B they plough the entire *seah* space for their [the saplings'] sake until the New Year [of the Sabbatical year].
  - C [But as regards ten saplings which] were formed in a line or in a semicircle—

- D they plough for them only according to their (the saplings'] need, [but they may not plough within the *seah* space as a whole].
- **1:7** A Saplings and gourds join together [to make up ten plants] within a *seah* space [which permit one to plough the entire area].
  - B Rabban Simeon b. Gamaliel says, "[If] all ten [of the plants] in a *seah* space are gourds,
  - C "they plough the entire *seah* space until the New Year [of the Sabbatical year]."
- **1:8** A Until what [stage of growth are trees] called "saplings"?
  - B R. Eleazar b. Azariah says, "Until they become permitted for common use [until they are five years old, for Lev. 19:23–25 forbids the consumption of fruit in the first four years of a tree's growth]."
    - C R. Joshua says, "[They are] seven years old."
    - D R. Aqiba says, "A sapling [must be understood] according to its [common] meaning."
    - E "A tree which has been cut down, [the stump of which] produces shoots—
    - F (1) "[if the stump is] one handbreadth [tall] or less, [the shoot is treated] as a sapling; (2) "[if the stump is] one handbreadth [tall] or more, [the shoot is treated] as a tree,"
    - G the words of R. Simeon.
- **2:1** A Until what time do they plough in a field of grain (lit.: a white field) during the year preceding the Sabbatical year?
  - B Until the moisture [in the ground] is gone.
  - C As long as people plough in order to plant chatemelons and gourds.
  - D Said R. Simeon, "You have put the law into the hands of each individual.
  - E "Rather, [one may plough] in a field of grain until Passover [when Israelites offer the first sheaf of new grain at the Temple; cf. Lev. 23:10]
  - F "and [one may plough] in an orchard until Pentecost [when they present the firstfruits; cf. Ex. 23:19 and M. 1:1C].
- **2:2** I A They (1) manure and (2) hoe
  - B in fields of chatemelons and in fields of gourds
  - C until the New Year [of the Sabbatical year].
  - D And likewise: they [manure and hoe] in an irrigated field [until the New Year of the Sabbatical year].
  - II E They (3) cut off dry twigs, (4) strip off leaves, (5) cover [the roots] with dust, and (6) fumigate
    - F until the New Year [of the Sabbatical year].
    - G R. Simeon says, "Also: one may remove [dead] leaves from a grape cluster during the Sabbatical year."
- **2:3** III A They (7) remove stones [from a field]
  - B until the New Year [of the Sabbatical year].
  - IV C They (8) trim [trees], (9) clip [branches] and (10) prune [trees]
    - D until the New Year [of the Sabbatical year].
      - E R. Joshua says, "Just as [the actions of] clipping and pruning [trees which grow during] the Fifth Year [continue into the Sixth Year], so too [the clipping and pruning of trees which grow] during the Sixth Year [may be continued into the Sabbatical year]."

- F R. Simeon says, "As long as I am permitted to care for the tree, I am permitted to prune it."
- **2:4** V A They (11) smear the saplings [with oil], (12) wrap them, (13) cover them with ash, (14) make shelters for them, and (15) water them
  - B until the New Year [of the Sabbatical year].
  - C R. Eleazar b. R. Sadoq says, "Also: one may water the leaves during the Sabbatical year itself, but [one may] not [water] the roots [directly]."
- **2:5** VI A They (16) pour oil on unripe figs and (17) pierce them
  - B until the New Year [of the Sabbatical year].
  - C Unripe figs [which began growing] during the year preceding the Sabbatical year and which continued growing [and ultimately became ripe] during the Sabbatical year itself,
  - D [and unripe figs which began growing] during the Sabbatical year and which continued growing [and ultimately became ripe] during the year following the Sabbatical,
  - E they neither pour oil [on them] nor pierce them [during the Sabbatical year].
  - F R. Judah says, "Where it is customary to pour oil [on unripe figs], they do not pour oil [during the Sabbatical year],
  - G "because it is [considered to be the normal way in which such crops are] processed (lit.: because it is work).
  - H "[But] where it is not customary to pour oil, they may pour oil, [because there it is not deemed to be a normal agricultural activity]."
  - I R. Simeon permits [pouring oil on] the tree [itself],
  - J because one is permitted to tend a tree [during the Sabbatical year].
- **2:6** A They do not (1) plant [a tree], (2) sink [a vine into the ground so that it emerges nearby as an independent plant], or (3) graft (one branch to another] in the year preceding the Sabbatical within thirty days of the New Year.
  - B And if one (1) planted [a tree], (2) sank [a vine into the ground], or (3) grafted [one branch to another within thirty days of the beginning of the Sabbatical year],
  - C one must uproot [that which was planted, sunk or grafted so as to rectify the transgression which he has committed].
  - D R. Judah says, "All grafting that does not take root within three days will not take root."
  - E R. Yose and R. Simeon say, "Within two weeks."
- **2:7** A (1) Rice, (2) durra, (3) millet, and (4) sesame,
  - B that took root before New Year [of any year in the Sabbatical cycle],
  - C are tithed according to the [rules which apply to produce of the] previous year, [the year in which they were planted].
  - D And [if they were planted in the Sixth Year], they are permitted during the Sabbatical year [they are not subject to the restrictions which apply to Seventh-Year produce; see M. 8:1ff].
  - E And if not [if they did not take root before the New Year but during the Sabbatical year itself],
  - F they are forbidden during the Sabbatical year [subject to the restrictions which apply to Seventh-Year produce].

- G And [if they were planted in any year of the Sabbatical cycle other than the sixth], they are tithed according to the [rule which applies to produce of the] year following.
- **2:8** A R. Simeon Shezuri says, "Egyptian beans that one originally sowed for the sake of their seed,
  - B "are treated in the same way [as the types of produce mentioned at M. 2:7A, and so are subject to the rule of M. 2:7C-G]."
  - C R. Simeon says, "Large beans,
  - D "are treated in the same way [as the types of produce mentioned in M. 2:7A and so are subject to the rule of M. 2:7C-G]."
  - E R. Eleazar (S reads: Eliezer) says, "Large beans [are tithed according to the rule governing produce of the previous year only] if they began to form pods before New Year."
- **2:9** A (1) Shallots and (2) Egyptian beans,
  - B which one deprived of water thirty days before the New Year,
  - C are tithed according to the [rule which applies to produce of the] previous year,
  - D and [if they were planted in the Sixth Year] they are permitted during the Sabbatical year.
  - E And if not [if one did water them within thirty days of the New Year of the Sabbatical year),
  - F they are forbidden during the Sabbatical year,
  - G and [if they were planted in any year of the Sabbatical cycle other than the sixth], they are tithed according to the [rule which applies to produce of the] following year.
  - H "And [the same rule applies] to a naturally watered field [one which requires only periodic irrigation],
  - I "which one deprived of water for two periods [of watering]," the words of R. Meir.
  - J And sages say, "[Which one deprived of water for] three [periods]."
- **2:10** A Gourds which one stored [in a field] in order [later to break them open and gather their] seeds—
  - B if they became hard [and dry] before the New Year of the Sabbatical year [so that the seeds are ready to be gathered],
  - C and [if the gourds themselves] became unfit for human food,
  - D one is permitted to tend them [to gather the seeds during the Sabbatical year. [Since these seeds are produce of the Sixth Year, the farmer may gather them even after the Sixth Year begins.]
  - E And if not [if the gourds do not harden before the New Year so that the seeds are not yet ready to be gathered],
  - F one is forbidden during the Sabbatical year to tend them. [Since these vegetables, including the seeds, are produce of the Sabbatical year, the farmer may not gather their seeds for his own use].
  - G Their buds [those which sprout from gourds during the Sabbatical year] are forbidden during the Sabbatical year.
  - H "And they sprinkle water on a field of grain (lit.: white dust)," the words of R. Simeon.
  - I R. Eliezer b. Jacob forbids [such sprinkling].
  - J "They flood rice [paddies] during the Sabbatical year."
  - K But they do not trim [the rice plants].

- **3:1** A From what time [during the Sabbatical year] may they bring manure [out into the field to pile it up] in dung heaps [for use during the following year]?
  - B "From the time [during other years of the Sabbatical cycle] when workers "transgressors [of the laws of the Sabbatical year]" cease [spreading manure in the fields]," the words of R. Meir.
  - C R. Judah says, "From the time when the [ground] moisture (lit.: sweetness) dries up."
  - D R. Yose says, "From the time when [the ground hardens] forming clumps."
- **3:2** A [In accordance with the rule of M. 3:1], how much manure (may they bring out to a field during the Sabbatical year]?
  - B Up to three dung heaps per *seah* space [of land],
  - C each [dung heap containing no less than] ten baskets [of dung],
  - D each [basket containing a volume of no less than] a *letek* [fifteen *seahs* of dung].
  - E They may add to the [number of] baskets [above ten per dung heap],
  - F but they may not add to the [number of] dung heaps [above three per *seah* space].
  - G R. Simeon says, "Also: [They may add to the number] of dung heaps."
- **3:3** A A man constructs within his field three dung heaps per *seah* space.
  - B "More than that [constructing more than three dung heaps per *seah* space, likewise is permitted]," the words of R. Simeon [cf. M. 3:2].
  - C And sages forbid [the construction of more than three dung heaps per *seah* space] unless he either deepens [the ground where the manure is to be deposited by] three [handbreadths] or raises [the ground by] three [handbreadths].
  - D A person places [all] the manure in his possession in [one large] pile.
  - E R. Meir forbids [the farmer from doing this] unless he either deepens [the ground by] three [handbreadths] or raises [the ground by] three [handbreadths].
  - F If one had a small amount [of manure already piled up in the field], he continually adds to it.
  - G R. Eleazar b. Azariah forbids [the farmer from doing so] unless he either deepens [the ground by] three [handbreadths] or raises [the ground by] three [handbreadths].
  - H or unless he places [the manure] on rocky ground.
- **3:4** A One who uses his field as a fold [for his flock during the Sabbatical year, which results in the spreading of manure throughout his field],
  - B makes an enclosure [that measures] two *seah* spaces in area.
  - C [After the enclosed area is filled with manure he creates a second fold adjacent to the first]. He removes three sides [of the original enclosure] and leaves the middle side [that is, the fourth side, in place. With the other three sides of the original fold he creates a second enclosure of the same size].
  - D The result is that he creates a fold [with an area] of four *seah* spaces.
  - E R. Simeon b. Gamaliel says, "[He may continue to create enclosures in this manner and so enlarge the area until it measures] eight *seah* spaces."
  - F If his entire field was four *seah* spaces in area,
  - G he sets aside a small section [of the field which he does not enclose in the fold]
  - H so as [to avoid] the appearance [of committing a transgression by manuring his field during the Sabbatical year].
  - I And he removes [manure] from within the enclosure and places it in his field in the accepted manner of those who handle manure [during the Sabbatical year, in accordance with the rule of M. 3:1–3].

- **3:5** A [During the Sabbatical year] a man may not begin to open a stone quarry in his field,
  - B unless it contains [enough stones to construct] three piles [of hewn blocks],
  - C each [pile] three [cubits long] by three [cubits wide] by three [cubits] high,
    - D [so that] their measure is [equivalent to] twenty-seven stones. [That is, each pile must contain no less than twenty-seven blocks, each measuring one cubic cubit].
- **3:6** A A wall consisting of ten stones, [each of which is so large that it is capable of being] carried [only] by two men—
  - B lo, these [stones] may be removed [from the field] during the Sabbatical year.
  - C [The preceding rule applies only if] the height of the wall is ten handbreadths.
  - D Less than this [if the wall is less than ten handbreadths high],
  - E he may chisel [stones from the wall],
  - F but he may level it [the wall] only until it is one handbreadth from ground level. [This indicates that he is not clearing the land for cultivation].
  - G To what does this [rule, A-F,] apply?
  - H [To a case of removing stones] from within one's own [field].
  - I But in that of his neighbor,
  - J he may remove any amount he wishes.
  - K To what case does this [rule, A-F,] apply?
  - L To a case where he did not begin [to remove the stones] in the year preceding the Sabbatical, [but rather during the Sabbatical year itself].
  - M But if he did begin [to remove stones] in the year preceding the Sabbatical,
  - N he may remove any amount he wishes [during the Sabbatical year].
- **3:7** A Stones which a plough moved,
  - B or that were covered [in the ground] and were uncovered [after ploughing]—
  - C if there are among them two [stones so large that they are] capable of being carried [only] by two men,
  - D lo, these [stones] may be removed.
  - E One who removed stones from his field,
  - F removes the topmost ones and leaves those which are touching the ground.
  - G And so [in the case] of a heap of pebbles or a pile of stones—
  - H one removes the topmost ones and leaves those which are touching the ground.
  - I If there is beneath them [the pebbles or stones] a [large] rock or straw,
  - J lo, these [stones also] may be removed.
- **3:8** A During the year preceding the Sabbatical, after the rains have ceased, they do not build terraces on the sides of ravines,
  - B for this prepares them [the ravines, for cultivation] during the Sabbatical year.
  - C However, during the Sabbatical year, after the rains have ceased, one may build them [terraces,]
  - D for this prepares them [the ravines, for cultivation] during the year following the Sabbatical [when cultivation is permitted.]
  - E And [when building a retaining wall for a terrace,] he may not support [it] with dirt, [for this appears to be an act of cultivation,]
  - F but he constructs a rough embankment [using only stones.]
  - G Any stone [which is near enough to a person building a wall, as at E-F,] that he can [merely] stretch out his hand and pick up [the stone]—

- H lo, this [stone] may be picked up [from the field and placed in the wall. Since this person picks up the stone and places it in the wall forthwith, it is apparent that he is not engaged in clearing the field for cultivation.]
- **3:9** A Stones [so large that they can be carried only on one's] shoulder may come from anywhere [for use in construction. That is, large stones, which clearly will be used for construction, may be brought from a distance, contrary to the rule of G-H.]
  - B But a contractor brings [stones of any size] from anywhere. [Since he obviously has been hired to build a wall, he is not suspected of preparing this land for cultivation.]
  - C And what [size stones] are [considered] "stones [which must be carried on one's] shoulder"?
  - D "Any stone that cannot be picked up with one hand," the words of R. Meir.
  - E R. Yose says, "Stones [which must be carried on one's] shoulder are what their name implies,
  - F "all [stones] that can be picked up two [or] three [at a time and carried] on the shoulder."
- **3:10** A One who builds a fence [during the Sabbatical year] between his [property] and the public domain
  - B is permitted to dig down to rock level [in order to supply a firm foundation for the fence.]
  - C What should he do with the dirt?
  - D "He piles it up in the public domain and repairs it [he uses the dirt to fill holes in the road,]" the words of R. Joshua.
  - E R. Aqiba says, "Just as one does not do damage in the public domain, so too one does not repair it."
  - F What should he do with the dirt [cf. C]?
  - G He piles it up in his own field in the manner of those who store manure [during the Sabbatical year; cf. M. 3:2].
  - H And likewise, [the rule of A-B applies to] one who digs a well, a trench, or a cave [during the Sabbatical year].
- **4:1** A At first they held:
  - B [During the Sabbatical year] a man may gather wood, stones and grass from his own [field] in the same manner as he gathers [them] from [the field] of his neighbor [in other years of the Sabbatical cycle,]
  - C [that is to say, he gathers only] the large ones. [Since he leaves the small pieces of wood, he does not appear to be clearing the field for cultivation.]
  - D When transgressors [of the laws of the Sabbatical year l increased in number, they ordained that:
  - E one man should gather [stones] from the field of another and the other should gather [stones] from his [the first man's field,]
  - F [so long as they do] not [do so] as a [mutual] favor.
  - G And, needless to say, one may (not] stipulate [to provide] the other [with] meals [as payment for his labor].
- **4:2** A A field which was cleared of thorns [during the Sabbatical year]
  - B may be sown during the year following the Sabbatical, [for removing thorns is not a forbidden act of cultivation].
  - C [But a field] which was improved [by the removal of stones during the Sabbatical year,]

- D or which was used as a fold [for animals during the Sabbatical year, such that it was fertilized by the dung which the animals left on the ground, cf. M. 3:4,]
- E may not be sown during the year following the Sabbatical, [since these activities have effect of preparing land for cultivation].
- F [As regards] a field which was improved [during the Sabbatical year]—
- G the House of Shammai say, "They do not eat its produce [which grows] during the Sabbatical year."
- H But the House of Hillel say, "They do eat [its produce which grows during the Sabbatical year]."
- I The House of Shammai say, "They do not eat produce of the Sabbatical year [which was given by the owner of a field] as a favor."
- J But the House of Hillel say, "They eat [produce of the Sabbatical year] whether [it was given by the owner of the field] as a favor or not."
- K R. Judah says, "The rulings [attributed to the Houses, I vs. J,] are reversed, [for] this is among the lenient rulings of the House of Shammai and the stringent rulings of the House of Hillel."
- **4:3** A During the Sabbatical year they lease from gentiles fields newly ploughed [during that year for the purpose of cultivating them during the following year,]
  - B but [they do] not [lease] from an Israelite [a field which he has ploughed during the Sabbatical year, in violation of the law].
  - C And they assist gentiles [in their agricultural labors] during the Sabbatical year,
  - D but [they do] not [assist] an Israelite [who engages in such activities during the Sabbatical year, in violation of the law].
  - E And they greet [gentiles] in the interests of peace.
- 4:4 A [As regards] one who thins out olive trees [during the Sabbatical year]
  - B the House of Shammai say, "He may raze [them]."
  - C But the House of Hillel say, "He may uproot [them]."
  - D But they [the House of Hillel] concede with respect to one who levels his field [during the Sabbatical year, that he may not uproot them, but] only raze [them]."
  - E [In the view of the House of Hillel, who distinguish one who thins out trees from one who levels his field,] who is one that thins out?
  - F [One who removes only] one or two [trees].
  - G [Who is] one that levels [his field]?
  - H [One who removes] three [or more trees that were growing] side by side, [thus clearing a sizeable area of land].
  - I To what does this [rule, A-D + E-H,] apply?
  - J [It applies to one who removes trees] from his own field.
  - K But [if he does so] from the field of his neighbor,
  - L even one who levels [the field] may uproot [the trees].
- **4:5** I A One who truncates an olive tree [during the Sabbatical year in order to obtain wood for building] should not cover [the stump] with dirt. [This would be the usual way of sealing the surface of the stump when one cuts back a tree in order to cultivate new branches].
  - B Rather, he covers it with stones or with stubble. [Since this is not the usual manner of sealing the tree's stump, it indicates that the farmer is not engaged in cultivating the growth of new branches].

- Π С One who cuts down the branches of a sycamore [during the Sabbatical year in order to obtain wood for building] should not cover [the stump] with dirt.
  - Rather, he covers it with stones or with stubble. D
  - E [Contrary to the foregoing rules,] During the Sabbatical year they do not cut down a virgin sycamore [a young tree which never before has been cut]
  - F because it [the cultivation of new branches during the Sabbatical year] is [prohibited] labor.
  - G R. Judah says, "[Cutting] in the normal manner is forbidden.
  - Η "But, he either [cuts the sycamore's trunk] high [above the ground,] ten handbreadths [or more from ground level,] or he razes it [that is, cuts the tree] down to the ground."
- One who (1) snips off the ends of vines or (2) cuts reeds [during the Sabbatical year, in 4:6 А order to obtain materials for weaving or for use as wood]-
  - В R. Yose the Galilean says, "He should cut at a distance of one handbreadth [from the usual place where vines or reeds are trimmed for the purpose of cultivating them. In this way one avoids the appearance of engaging in forbidden labor]."
  - С R. Aqiba says, "He cuts in his usual manner,
  - "with (1) an ax, (2) a sickle, (3) a saw, or with whatever he wants (to use]." D
  - A tree that was split— E
  - F they may bind it during the Sabbatical year,
  - not so that [the tree] will grow together [again] but so that [the tree] will not [split] further. G
- After what time during the Sabbatical year do they eat the fruit of trees? 4:7 А Ι
  - В [As regards] (1) unripe figs:
    - С From the time they begin to glisten [when they begin to mature and become shiny,]
    - D [the farmer] may eat them with his bread in the field.
    - E [And when] they have ripened,
    - he may gather them into his house [and eat them]. F
    - G And similarly, [when the figs have ripened] during the other years of the Sabbatical cycle, they become liable to tithes.
- **4:8** Π [As regards] (2) unripe grapes: А
  - В From the time they produce liquid
  - С [the farmer] may eat them with his bread in the field.
  - D [And when] they have ripened
  - Е he may gather them into his house [and eat them].
  - And similarly, [when the grapes have ripened] during the other years of the F Sabbatical cycle, they become liable to tithes.
- 4:9 III А [As regards] (3) olives:
  - В From the time a *seah* [of olives] will yield a quarter [-log of oil,]
  - С [the farmer] may crush them and eat [them] in the field.
  - [When a *seah* of olives] yields a half [-log of oil,] D
  - E he may press [them] and anoint [himself] in the field.
  - F [When a *seah* of olives] yields a third [of its total eventual output, a full log of oil,]
  - G he may press [the olives] in the field and gather them into his house.

- H And similarly, [when the olives have reached a third of their eventual yield] during the other years of the Sabbatical cycle, they become liable to tithes.
- I And [as regards] the fruit of all other trees—
- J the season [during other years when they become liable] to tithes is the season during the Sabbatical year [when they may be eaten].
- **4:10** A After what time during the Sabbatical year may they not cut down a [fruitbearing] tree [because, in doing so, one will prevent the fruit already growing on the branch from ripening]?
  - B The House of Shammai say, "[Regarding all trees]— after they have produced [fruit]."
  - C The House of Hillel say, "(1) [Regarding] carob trees—after their [branches] begin to droop, (2) [regarding] vines—after they produce berries, (3) [regarding] olive trees— after they blossom, (4) and [regarding] all other trees—after they produce [fruit]."
  - D And [concerning] every [fruit-bearing] tree—
  - E after it has reached the point [when, in other years of the Sabbatical cycle, its fruit is subject to the separation] of tithes, it [again] is permitted to cut it down, [for, at this point, the fruit is ready for harvest and so will not be lost when the tree is cut down].
  - F [During other years of the Sabbatical cycle] how much [fruit] need there be on an olive tree so that one may not cut it down [in accordance with the prohibition against razing fruit-bearing trees; cf. Dt. 20:19–20]?
  - G A quarter [-qab of fruit].
  - H R. Simeon b. Gamaliel says, "[The rule that applies to] each [tree] depends upon [the quality of the yield of] that olive tree.
- **5:1** A White figs [which appear in the Seventh Year— the restrictions of the] Sabbatical year [apply] to them [in the] second [year of the new Sabbatical cycle, rather than in the Seventh Year itself],
  - B because they [white figs] take three years to ripen fully.
  - C R. Judah says, "Persian figs [which appear in the Seventh Year— the restrictions of the] Sabbatical year [apply] to them [in the] year following the Sabbatical [in the first year of the new Sabbatical cycle, rather than in the Seventh Year itself],
  - D "because they [Persian figs] take two years to ripen fully."
  - E They said to him, "They ruled [concerning] white figs alone."
- **5:2** A One who stores arum [for preservation, by covering it with earth] during the Sabbatical year—
  - B R. Meir says, "He [must] not [store] less than two *seah*,
  - C "[he must not make a pile less] than three handbreadths high,
  - D "and [he must put no less than] a handbreadth of dirt above it."
  - E But sages say, "He [must] not [store] less than four *qab*,
  - F "[he must not make a pile less] than a handbreadth high,
  - G "and [he must put no less than] a handbreadth of dirt above it,
  - H "and he [must] store it in a thoroughfare."
- **5:3** A An arum [tuber which began to grow before the Sabbatical year and remained in the ground] after the Sabbatical year had passed—
  - B R. Eliezer says, "If the poor gathered its leaves [which sprouted during the Sabbatical year], it is well (lit.: "they have gathered").

- C "But if [the poor did] not [gather its leaves during the Sabbatical year, the owner of the arum] must settle accounts with the poor, [when the tuber is uprooted, by giving them a portion of the tuber itself]."
- D R. Joshua says, "If the poor gathered its leaves [which sprouted during the Sabbatical year], it is well (lit.: "they have gathered").
- E "But if [the poor did] not [gather its leaves during the Sabbatical year], the poor have no account with him [the owner of the arum owes them nothing after the Sabbatical year is over]."
- **5:4** A Arum [which finished growing] during the Sixth Year [but] which remained [in the ground] in the Seventh Year,
  - B and also summer onions, and madder from good soil—
  - C The House of Shammai say, "[Farmers] uproot them with wooden rakes."
  - D But the House of Hillel say, "[Farmers] uproot them with metal spades."
  - E And they agree concerning madder from stony soil that [farmers] may up—root it with metal spades.
- **5:5** A When is one permitted to buy arum in the year following the Sabbatical [in the first year of the new Sabbatical cycle]?
  - B R. Judah says, "Immediately."
  - C But sages say, "When the new [produce] becomes plentiful in the marketplace."
- **5:6** A These are tools which the artisan is not permitted to sell during the Sabbatical year:
  - B (1) a plough and all its accessories, (2) a yoke, (3) a pitchfork, (4) and a mattock.
    C But he [the artisan] may sell:
    - D (1) a hand sickle, (2) a reaping sickle, (3) and a wagon and all its accessories.
    - E This is the general rule:
    - F [As regards] any [tool] the use of which [during the Sabbatical year] is limited to a transgression—it is forbidden [to sell such a tool during the Sabbatical year].
    - G [But as for any tool which may be used both for work which is] forbidden and [for work which is] permitted [according to the laws of the Sabbatical year]it is permissible [to sell such a tool during the Sabbatical year].
- **5:7** A [During the Sabbatical year] a potter may sell (to one person] five oil containers and fifteen wine containers,
  - B because it is usual [for a person] to process [this amount of oil and wine during the Sabbatical year] from ownerless produce.
  - C And if [during the Sabbatical year a person] processed more than this amount [of oil and wine], it is permissible [to sell that person more than this number of containers].
  - D And [the potter] may sell (an unlimited number of containers] to a gentile in the Land [of Israel] and to an Israelite outside of the Land [of Israel].
- **5:8** A The House of Shammai say, "During the Sabbatical year a person may not sell to another a heifer used for ploughing."
  - B But the House of Hillel permit [one to sell such a heifer] because he [the buyer] may slaughter it.
  - C [During the Sabbatical year] a person may sell to another fruit [the seeds of which are used for planting], even in the planting season.

- D And a person may lend to another a *seah* measure [used for measuring harvested produce], even if one knows that he has a threshing floor.
- E And a person may make change for another, even if one knows that he employs laborers.
- F And regarding all of these [transactions—if he] explicitly [stated his intention to violate the law], they are forbidden.
- **5:9** A A woman may lend to a neighbor who is suspected [of not observing the law] of the Sabbatical year:
  - B (1) a sifter, (2) a sieve, (3) a millstone, (4) or an oven.
  - C But she may not sift or grind [flour] with her [since the grain was gathered in violation of the law].
  - D The wife of a *haber* [one who observes rules of purity in everyday affairs] may lend to the wife of an ordinary Israelite:
  - E (1) a sifter, (2) or a sieve,
  - F and she may sift or grind or shake [dry flour] with her.
  - G But from the time that [the ordinary Israelite woman] pours water over the flour [and thereby renders the flour susceptible to uncleanness, cf. Lev. 11:34, the wife of a *haber*] may not touch it [the flour],
  - H because one does not assist those who commit a transgression.
  - I And all [of the allowances noted at A-B and D-F] were only made in the interest of peace.
  - J And during the Sabbatical year one may assist gentiles [to do work which is forbidden to Israelites], but one may not assist Israelites [to do such work during the Sabbatical year].
  - K And one greets them [gentiles], in the interest of peace.
- **6:1** A Three provinces [are delineated] with regard to [the laws of] the Sabbatical year:
  - B (1) All [of the land] which was occupied by those who returned from Babylonia [the area] from the Land of Israel [in the south] to Kezib [in the north]:
  - C [That which grows of itself in this region] may not be eaten, and [the land of this region] may not be cultivated.
  - D (2) All [of the land] which was occupied by those who came out of Egypt, [the area] from Kezib to the river [the brook of Egypt, in the south], and [from Kezib] to Amana [in the north]:
  - E [That which grows of itself in these regions] may be eaten, but [the land of these regions] may not be cultivated.
  - F (3) [The land] from the river and from Amana and beyond:
  - G [That which grows of itself in these regions] may be eaten, and [the land of these regions] may be cultivated.
- **6:2** A In Syria, [farmers] may do work [during the Sabbatical year] involving harvested [produce], but [they] may not [do work] involving unharvested [produce].
  - B (1) They may thresh, winnow, trample, and bind [wheat into sheaves],
    - (2) but they may not reap, harvest grapes, or cut olives.
  - C R. Aqiba stated a general rule:
  - D "Any [agricultural activity] of a type which is permitted [during the Sabbatical year] in the Land of Israel—
  - E "they may do [such work] in Syria."

- **6:3** A Onions [which remained in the ground from the Sixth Year into the Sabbatical year] upon which rain has fallen and which sprouted leaves—
  - B if the leaves are dark [green, in the Sabbatical year], they [the onions] are forbidden [they may not be harvested and eaten],
  - C [but] if [the leaves] become light green, lo, these [onions] are permitted.
  - D R. Haninah b. Antigonos says, "If [the onion bulbs] may be uprooted by their leaves, [the onions] are forbidden.
  - E "But, in contrast to this [case, onions which grow from the Sabbatical year into] the year following the Sabbatical are permitted, (if they can be uprooted by their leaves]."
- **6:4** A When in the year following the Sabbatical is one permitted to buy a [given type of] vegetable?
  - B Once [the new crop of] that same vegetable has become ripe.
  - C Once the [portion of the crop which] ripens early [in the year, in one location] has become ripe, the [portion of the crop which] ripens later [in the year, in another location] is [also] permitted [may be purchased].
  - D Rabbi permitted the purchase of vegetables immediately in the year following the Sabbatical.
- **6:5** A They may not export oil [in the status of heave offering which has become unclean and is fit] for burning, or produce of the Sabbatical year, from the Land of Israel to another country.
  - B Said R. Simeon, "I have heard [it stated] explicitly that they may export [these things] to Syria, but they may not export [them] to another country."
- 6:6 A They may not import heave offering from another country to the Land of Israel.
   B Said R. Simeon, "I have heard [it stated] explicitly that they may import [heave offering] from Syria, but they may not import [it] from another country."
- **7:1** A They stated an important general rule concerning [the laws of] the Sabbatical year:
  - B All [produce] which is
    - (1) fit for human consumption, animal consumption, or is a species [of plant used for] dyeing,

(2) and which does not continue to grow in the ground [for longer than one season, i.e., plants which are not perennials]

- C is subject to (the laws of] the Sabbatical year, and the money [received when the produce is sold] is subject to [the laws of] the Sabbatical year,
- D [This produce also] is subject to removal [the produce must be removed from one's possession when similar produce is no longer available in the fields,] and the money [received when the produce is sold] is subject to removal.
- E Now what is [considered fit for human consumption]?
- F The leaf of wild arum, the leaf of miltwaste, chicory, leeks, purslane, and ornithogalum.
- G And what is [considered] fit for animal consumption?
- H Thorns and thistles.
- I And what is [considered] a species [of plant used for] dyeing?
- J Aftergrowths of woad and seed of safflower.
- K They are subject to [the laws of] the Sabbatical year, and the money [received when the produce is sold] is subject to [the laws of] the Sabbatical year.

- L They are subject to removal and the money [received when the produce is sold] is subject to removal.
- **7:2** A And they stated yet another general rule [concerning the laws of the Sabbatical year]:
  - B All [produce] which is

(1) fit for human consumption, animal consumption, or is a species [of plant used for] dyeing,

(2) and which continues to grow in the ground [from one season to the next, i.e., plants which are perennials]

- C is subject to [the laws of] the Sabbatical year, and the money [received when the produce is sold] is subject to [the laws of] the Sabbatical year.
- D [But such produce] is exempt from removal, and the money [received from the sale of the produce] is exempt from removal.
- E What are [plants which are perennials]?
- F The root of wild arum, the root of miltwaste, hart's tongue, bulb of ornithogalum, and hazelwort.
- G And among dyeing matter [these are perennials]:
- H *Rubia tinctorum* and round-leaved cyclamen.
- I They are subject to [the laws of] the Sabbatical year and the money [received from the sale of this produce] is subject to [the laws of] the Sabbatical year.
- J [But] they are exempt from removal and the money [received from the sale of the produce] is exempt from removal.
- K R. Meir says, "The money [resulting from the sale of the produce listed at F and H] is removed anytime before the New Year [of the Eighth Year]."
- L They said to him, "[The plants] are not subject to removal. [Thus] by an argument *a minori ad majus* [it is clear that] the money [received from the sale of the produce likewise] is not [subject to removal]."
- **7:3** A The husk and blossom of pomegranates, walnut shells, and fruit kernels
  - B are subject to [the laws of] the Sabbatical year, and the money [received from the sale of this produce] is subject to [the laws of] the Sabbatical year.
  - C The dyer may dye [with produce of the Sabbatical year only] for himself,
  - D but [the dyer] may not dye for a fee.
  - For they may not do business with:
     (1) produce of the Sabbatical year, (2) firstfruits, (3) heave offering, (4) carrion, (5) meat from an animal which has not been properly slaughtered, (6) animals the eating of which is forbidden, or (7) creeping things.
  - F And one may not buy vegetables which grow wild and sell [them] in the market.
  - G But [if] one gathers [vegetables], his son may sell [them] for him.
  - H [If] one buys [produce] for his own use, and left [some of the produce unused], it is permissible to sell [the produce which remained].
- 7:4 A One who buys a firstling [which is blemished and so, unfit for consumption by priests, cf. M. Bek. 5:2] for his son's wedding feast or for a festival, and does not need it,
  - B is permitted to sell [the firstling].
  - C Hunters of wild animals, fowl or fish who accidentally caught unclean animals [cf. Lev. 11:1ff.]
  - D are permitted to sell [such unclean animals].

- E R. Judah says, "Even one who unintentionally encounters it [an unclean animal] may buy and sell [it],
- F "so long as this is not his trade."
- G And sages prohibit [the non-hunter from trading in unclean animals].
- **7:5** A Branches of the sorb tree and of the carob tree
  - B are subject to [the laws of] the Sabbatical year and the money [received from the sale of this produce] is subject to [the laws of] the Sabbatical year.
  - C They are subject to removal and the money [received from the sale of this produce] is subject to removal.
  - D Branches of the terebinth, the pistachio tree and the white-thorn
  - E are subject to [the laws of] the Sabbatical year and the money [received from the sale of such produce] is subject to [the laws of] the Sabbatical year.
  - F [But they] are not subject to removal and the money [resulting from the sale of this produce] is not subject to removal.
  - G But the leaves [of the trees listed at D] are subject to removal,
  - H because they fall off of the stem.
- **7:6** A Rose, henna, balsam, and lotus
  - B are subject to [the laws of] the Sabbatical year and the money [received from the sale of this produce] is subject to [the laws of] the Sabbatical year
  - C R. Simeon says, "Balsam is not subject to (the laws of] the Sabbatical year,
  - D "because it is not a fruit [but rather a sap secreted by the tree]."
- **7:7** A A fresh rose [of the Sabbatical year] which has been preserved in old oil [of the Sixth Year]—
  - B one removes the rose [from the oil, and the oil is then exempt from removal].
  - C But an old [rose, of the Sabbatical year which has been preserved] in new [oil, of the year following the Sabbatical]—
  - D [the oil] is subject to removal.
  - E Fresh carobs [of the Sabbatical year] which have been preserved in old wine [of the Sixth Year],
  - F and old [carobs of the Sabbatical year which have been preserved] in new [wine, of the year following the Sabbatical year]—
  - G [in both cases, the wine together with the carobs] are subject to removal.
  - H This is the general rule:
  - I [In the case of] any [produce which is subject to removal] which imparts its flavor [to produce with which it is mixed]—
  - J one must remove [the resulting mixture, even if it consists of] two separate species [only one of which is subject to removal].
  - K But [if all produce is] of the same species [and only one is subject to removal],
  - L [one must remove the resulting mixture] however [small the amount of produce, i.e., even if it is not enough to impart its flavor to the mixture as a whole].
  - M [Produce of the] Sabbatical year renders forbidden [subject to the laws of the Sabbatical year] all other [permitted produce] of the same species [with which it has been mixed].
  - N But [if the two lots of produce are] not of the same species,
  - O [only if the produce of the Sabbatical year] imparts its flavor [does it render the other produce forbidden].

- 8:1 A An important general rule they stated concerning [produce of] the Sabbatical year:
  - B All [produce] which is designated particularly as food for human beings—
    - C they may not make of it [such produce] an emollient for human beings,
    - D and, it goes without saying, [they may not do so] for cattle.
  - II E But any [type of produce] which is not exclusively food for human beings [which is generally eaten by animals]—
    - F they may make of it [such produce] an emollient for human beings,
    - G but [they may] not [do so] for cattle.
  - III H And any [type of produce] which is neither exclusively food for human beings nor for cattle [which may be eaten by either]—
    - I [if the one who gathers it] intends [to use] it as food for human beings and as food for cattle,
    - J they impose upon it the stringencies [which apply to food for] human beings, and the stringencies [which apply to food for] cattle [one may not use such produce as an emollient either for human beings or for cattle].
    - K [If the one who gathers such produce] intends [to use] it [only] for wood,
    - L lo, it [this produce is deemed to be] like wood.
    - M For example, hyssop, marjoram and thyme.
- **8:2** A [Produce of the] Sabbatical year is permitted for [purposes of] eating, drinking and anointing [as a salve].
  - B [One may eat that which is customarily eaten, and one may anoint [with] that which is customarily [used] for anointing.
  - C One may not anoint [with] wine or vinegar,
  - D but one may anoint with oil.

Ι

- E And such [is the law] with respect to heave offering and second tithe.
- F [The ruling regarding produce of the] Sabbatical year is more lenient than [the ruling regarding] them [heave offering and second tithe],
- G for [produce of the Sabbatical year] is permitted for [purposes of] kindling a lamp.
- **8:3** A They may not sell produce of the Sabbatical year by volume, weight or quantity [number of pieces].
  - B And [they may] not [sell] figs by number, and [they may] not [sell] vegetables by weight.
  - C The House of Shammai say, "Also: [One may] not [sell vegetables] in bunches."
  - D And the House of Hillel say, "[Vegetables] which [one] is accustomed to bind [into bunches] in the home—
  - E "they may bind it [such a vegetable] in the market.
  - F "For example, leeks and ornithogalum."
- **8:4** A One who says to his worker, "Here is an *issar* for you and gather vegetables [of the Sabbatical year] for me today"—
  - B his payment is permitted.
  - C [If, however, he said], "For this [issar] gather vegetables for me today"—
  - D his payment is forbidden [since the payment is specified as wages for services rendered].
  - E One who bought a loaf of bread [worth] a *dupondion* from the baker [and said], "When I gather vegetables from the field I will bring you some"—
  - F [his payment] is permitted.
  - G [But if] he simply took [the loaf, and said nothing,]

- H he may not pay him [the baker] with money [received from the sale of produce] of the Sabbatical year.
- I For they may not discharge a debt with money [received from the sale of produce] of the Sabbatical year.
- **8:5** A They may not give [money received from the sale of produce of the Sabbatical year as payment of wages] to a well-digger, a bathhouse attendant, a barber or a sailor.
  - B But one may give [money received from the sale of this produce] to a welldigger [in exchange for water] to drink. [Since drawing water is not the well-digger's job, this is not a payment of wages.]
  - C And to any of those [persons referred to at A, one may give money received from the sale of this produce] as a free gift.
- 8:6 A Figs of the Sabbatical year—

8:8

- B they may not harvest them with a fig knife,
- C but one may harvest them with an ordinary knife.
- D They may not trample grapes in a vat,
- E but one may trample [them] in a trough.
- F And they may not prepare olives in an olive press or with an olive crusher,
- G but he may crush them and place [them] in a small press.
- H R. Simeon says, "He may even grind them in an olive press and place [them] in a small press [in order to complete the processing of the olives]."
- 8:7 A They may not cook vegetables of the Sabbatical year in oil in the status of heave offering,
  - B so that one will not cause [the vegetables] to become invalid [so that the produce of the Sabbatical year will not be wasted in the event that the oil becomes unclean and must be burned].
  - C R. Simeon permits [the cooking of vegetables of the Sabbatical year in oil in the status of heave offering].
  - D [In the case of one who had sold produce of the Sabbatical year, used the money received to purchase some other produce, and then, exchanged this produce, in turn, for still other produce], the very last [produce] [obtained in this manner] is subjected to [the laws of] the Sabbatical year,
  - E and the produce itself [of the Sabbatical year remains] forbidden.
  - I A They may not buy slaves, real estate or an unclean animal with money [received from the sale of produce] of the Sabbatical year.
    - B But if one [used money received in this way and] purchased [one of the things listed at A,] he must [purchase and] eat produce of equal value [to replace the produce of the Sabbatical year which he sold].
    - II C They may not buy (lit.: bring) bird offerings required of men who have suffered a flux, women who have suffered a flux, or women after childbirth with money [received from the sale of produce] of the Sabbatical year.
      - D But if one brought [such an offering], he must [purchase and] eat produce of equal value [to replace that which he sold].
    - III E They may not anoint [leather] garments with oil of the Sabbatical year.
      - F But if one anointed [a garment with such oil], he must [purchase and] eat produce of equal value [to replace that which he sold].

- 8:9 A A hide which was rubbed with oil of the Sabbatical year—
  - B R. Eliezer says, "The hide must be burned."
  - C And sages say, "[The one who smeared it with oil] must (purchase and] eat [produce] of equal value [to replace that which he used]."
  - D They said before R. Aqiba, "R. Eliezer used to say, 'A hide which was smeared with oil of the Sabbatical year must be burned.' "
  - E He said to them, "Shut up [dummies]! I will not tell you what R. Eliezer meant by this."
- 8:10 A And they further said before him [R. Aqiba], "R. Eliezer used to say, 'One who eats bread [baked by] Samaritans is like one who eats pork.' "
  - B He said to them, "Shut up [dummies]! I will not tell you what R. Eliezer meant by this."
- 8:11 A A bath which was heated by straw or stubble of the Sabbatical year—
  - B it is permissible to bathe in it.
  - C But if one is highly regarded,
  - D lo, such a person will not bathe [in such a bath].
- **9:1** A Rue, goosefoot, wild coriander, water parsley, and eruca of the field are exempt from [separation of] tithes and may be bought from anyone during the Sabbatical year,
  - B because produce of their type is not cultivated [but grows wild].
  - C R. Judah says, "Aftergrowths of mustard are permitted [may be bought during the Sabbatical year],
  - D "because transgressors are not suspect concerning them [they are not suspected of cultivating mustard and then claiming that it is an aftergrowth]."
  - E R. Simeon says, "All aftergrowths are permitted, except aftergrowths of cabbage,
  - F "because produce of this type does not [grow uncultivated] among wild vegetables."
  - G And sages say, "All aftergrowths are forbidden."
- **9:2** A Three regions [are delineated] with respect to [the laws of] removal:
  - B Judah, Transjordan, and Galilee.
  - C And each of these [is divided] into three regions.
  - D [The Galilee is divided into]: the upper Galilee, the lower Galilee and the valley.
  - E From Kfar Hananiah and northward, all [places] in which sycamores do not grow [are regarded as] upper Galilee.
  - F And from Kfar Hananiah and southward, all [places] in which sycamores do grow [are regarded as] lower Galilee.
  - G And the region of Tiberias [is regarded as] the valley.
  - H And with Judah [the three subregions are]: the mountains, the lowlands, and the valley.
  - I And the lowlands of Lod [are deemed part of] the southern lowlands.
  - J And its mountains [those near the lowlands of Lod are deemed part of] the king's hill country.
  - K From Beit Horon to the sea [is deemed to be] a single region.
- **9:3** A And why have they stated [that the three main areas are each divided into] three regions?
  - B That they may eat [produce of the Sabbatical year] in each region only until the last [produce] of that region is gone [without regard to whether or not such produce remains in the other regions].
  - C R. Simeon says, "They stated only [that there are] three regions within Judah.

- D "But in the remainder of the areas [Galilee and Transjordan] all the regions are (deemed to be part of] the king's hill country.
- E "And all of the regions [within the Land of Israel] are [considered] a single [area] with respect to [the removal of] olives and dates."
- **9:4** A They may eat [produce of the Sabbatical year which they have gathered into their homes only] by virtue of the fact that ownerless produce [is available in the fields],
  - B but [they may] not [eat such produce] by virtue of the fact that [it is found] in protected [places, where it is inaccessible to the animals of the field].
  - C R. Yose permits [the eating of produce of the Sabbatical year] even by virtue of the fact that [it is found] only in protected [places].
  - D They may eat [produce of the Sabbatical year which they have brought into their homes] by virtue of the fact that poor grain or the second crop [of figs is still available in the fields],
  - E but [they may] not [do so] by virtue of the fact that winter fruit [is still available in the fields].
  - F R. Judah permits [one to eat produce of the Sabbatical year which one has gathered by virtue of the fact that winter fruit is still available in the fields, cf. E,]
  - G provided that [this winter fruit] began to ripen before the end of the summer [of the Sabbatical year].
- 9:5 A One who puts three sorts of pressed vegetables in a single jar
  - B R. Eliezer says, "They may eat [these vegetables only] by virtue of the fact that the [vegetable which will disappear from the field] first [is still available in the field, i.e., once the first of these vegetables disappears from the field, all the others must likewise be removed]."
  - C R. Joshua says, "[They may eat any of these vegetables] even by virtue of the fact that the [vegetable which disappears from the field] last [is still available in the field, i.e., only when the last vegetable has disappeared must the contents of the jar be removed]."
  - D Rabban Gamaliel says, "[As] each type [of vegetable] disappears from the field, one must remove that type [of vegetable] from the jar."
  - E And the law is according to his words.
  - F R. Simeon says, "All vegetables [are regarded as of] one [type] with respect to [the laws of] removal."
  - G They may eat purslane [of the Sabbatical year) until wild purslane disappears from the valley of Beit Netofah.
- **9:6** A One who gathers fresh herbs [of the Sabbatical year may eat that which he gathered] until the [ground] moisture (lit: "sweetness") dries up.
  - B One who gathers dried plants [of the Sabbatical year may eat that which he gathered] until the second rainfall.
  - C [One who gathers fresh] leaves of reeds or leaves of vines [during the Sabbatical year may eat that which he gathered] until they fall off their stems.
  - D And one who gathers dried [leaves of reeds or vines during the Sabbatical year may eat that which he gathered] until the second rainfall.
  - E R. Aqiba says, "With respect to all [leaves of reeds or vines, gathered during the Sabbatical year, they may be eaten] until the second rainfall."

- **9:7** A And likewise [the time of the second rainfall is determinative in the following cases]:
  - B One who leases a house to his fellow, "Until the rains,"—
  - C [The renter retains possession of the house] until the second rainfall.
  - D One who has vowed [not to] benefit from his fellow, "Until the rains,"—
  - E [the vow remains in force] until the second rainfall.
  - F Until when may the poor enter the orchards [to glean the corner of the field]?
  - G Until the second rainfall.
  - H After what time may they derive benefit from or burn straw and stubble [of the Sabbatical year]?
  - I After the second rainfall.
- **9:8** A One who has [in his possession] produce of the Sabbatical year when the time for removal [of that produce] arrives,
  - B allots food [enough for] three meals for each [member of his household and then removes any remaining produce].
  - C "And the poor may eat [this produce] after the [time of] removal, but not the rich," the words of R. Judah.
  - D R. Yose says, "Poor and rich alike eat [of this produce] after the [time of removal."
- **9:9** A One who received produce of the Sabbatical year through an inheritance or [one who received such produce] as a gift—
  - B R. Eliezer says, "[Such produce] must be given to those who eat it."
  - C And sages say, "The sinner [he who eats produce of the Sabbatical year in violation of the law] must not benefit [by being given such produce to eat].
  - D "Rather [the one who received such produce] must sell it to those who would eat it and the money [received from this sale] must be divided among all people."
  - E One who eats of dough [made from produce] of the Sabbatical year before its dough offering has been removed is liable to death.
- **10:1** A The Sabbatical year cancels a loan [which is secured] by a bond and [a loan which is] not [secured] by a bond.
  - B A debt [owed to a] shopkeeper is not cancelled [by the Sabbatical year].
  - C But if [the debt] was made into a loan,
  - D lo, this [loan] is cancelled [by the Sabbatical year].
  - E R. Judah says, "Each preceding [debt to a shopkeeper] is cancelled [by the Sabbatical year, i.e., when a subsequent debt is incurred by the buyer, the former debt becomes a loan].
  - F The [unpaid] wage of a hired laborer is not cancelled [by the Sabbatical year].
  - G But if [the amount of the wage] was made into a loan,
  - H lo, this [loan] is cancelled [by the Sabbatical year].
  - I R. Yose says, "Any work which ends with [the beginning of] the Sabbatical year (work forbidden during the Sabbatical year],
  - J "[the unpaid wage for such work] is cancelled [by the Sabbatical year].
  - K "But [work] which does not end [at the beginning of] the Sabbatical year,
  - L "[the unpaid wage for such work] is not cancelled [by the Sabbatical year]."
- **10:2** A One who slaughters a heifer and divides it [among purchasers] on the New Year [of the year following the Sabbatical]—

- B if the month was intercalated [if the last month of the Sabbatical year was given an extra day, so that the transaction occurred during the Sabbatical year],
- C [the money owed to the butcher] is cancelled [by the Sabbatical year].
- D But if [the month was] not [intercalated],
- E (the money owed to the slaughterer of the heifer] is not cancelled [because the slaughtering did not take place during the Sabbatical year].
- F [The fines owed by] the rapist, the seducer, he who defames [an Israelite virgin (cf. Dt. 22:19),] and any [payments enjoined by] an act of the court,
- G [these payments] are not cancelled [by the Sabbatical year].
- H One who loans [money in exchange for] security and one who hands over his bonds [for collection] to a court,
- I [these loans] are not cancelled [by the Sabbatical year].
- **10:3** A [A loan against which] a *prosbol* [has been written] is not cancelled [by the Sabbatical year].
  - B This is one of the things which Hillel the Elder ordained.
  - C When he saw that people refrained from lending one another money [on the eve of the Sabbatical year]
  - D and [thereby] transgressed that which is written in the Torah, *Beware lest you harbor the base thought [... and so you are mean to your kinsman and give him nothing* (Dt. 15:9)],
  - E Hillel ordained the *prosbol* [whereby the court, on behalf of the creditor, may collect unpaid debts otherwise cancelled by the Sabbatical year].
- **10:4** A This is the substance of the *prosbol*:
  - B "I declare to you, Messrs. X and Y, judges in such-and-such a place, that every debt which I have [which is owed to me] I may collect [the money owed me] anytime I wish."
  - C And the judges sign below or the witnesses.
- **10:5** A An antedated *prosbol* is valid, but a postdated [*prosbol*] is invalid.
  - B Antedated bonds are invalid, but postdated bonds are valid.
  - C If one [person] borrows [money] from five [persons], they write a *prosbol* for each [of the creditors individually].
  - D [But if] five [persons] borrow [money] from one person,
  - E he writes only one *prosbol* for all [of the debtors].
- **10:6** A They write a *prosbol* only against real estate [in cases in which the debtor owns real estate].
  - B If the [debtor] has none,
  - C he [the creditor] transfers [to the debtor] some [trivial] amount [of property] from his field [and then a *prosbol* is written].
  - D If [the debtor] had a field in the region [which he had already] used as security [against another loan],
  - E they write a *prosbol* against [such property].
  - F R. Huspith says, "They write [a *prosbol*] for a man against his wife's property, and for orphans against the property of [their] guardians."
- **10:7** A A beehive—
  - B R. Eliezer says, "Lo, it [has the same status] as real estate, and [therefore],

- (1) "they write a *prosbol* against it,
- (2) "it is not susceptible to uncleanness [so long as it remains] in its place, and

(3) "one who removes [honey] from it on the Sabbath is liable [for violating the prohibition against reaping]."

- C But sages say, "It does not [have the same status] as real estate, and [therefore],
  - (1) "they do not write a *prosbol* against it,
    - (2) "it is susceptible to uncleanness [even if it remains] in its place, and

(3) "one who removes [honey] from it on the Sabbath is exempt, [from violating the prohibition against reaping]."

- **10:8** A One who repays a debt [cancelled] by the Sabbatical year—
  - B [the creditor] must [nevertheless] say to him, "I cancel [the debt]."
  - C [If the debtor then] said to him, "Even so [I will repay it],"
  - D he must accept it from him.
  - E As it is written, *And this is the word of remission [of debts* (Dt. 15:2). That is, the creditor must renounce the debt verbally].
  - F Likewise [the same law applies in the following case]:
  - G A murderer who went into exile in a city of refuge,
  - H and [if] the inhabitants of the city wish to honor him,
  - I must say to them, "I am a murderer."
  - J [If then] they said to him, "Even so [we wish to honor you],"
  - K he may accept it from them.
  - L As it is written, *And this is the word of the murderer* (Dt. 19:4). [That is, the murderer must acknowledge that he is such verbally].
- **10:9** A One who repays a debt [cancelled] by the Sabbatical year—
  - B the sages are pleased with him.
  - C One who borrows [money] from a convert whose children converted with him, need not repay [the debt] to his children.
  - D But if [the debtor] repaid [the children, for the debt owed to their father]—
  - E the sages are pleased with him.
  - F All chattels are acquired through drawing them [into one's possession].
  - G But anyone who stands by his word [and does not withdraw from the transaction before the chattels have changed hands]—
  - H the sages are pleased with him.

## TERUMOT Alan J. Avery-Peck

- **1:1** A Five [sorts of people] may not separate heave offering,
  - B and if they separated heave offering, that which they have separated is not [valid] heave offering:
  - C (1) a *heresh*, (2) an imbecile, (3) a minor,
  - D and (4) one who separates heave offering from [produce] which is not his own.
  - E (5) A gentile who separated heave offering from [the produce of] an Israelite,
  - F even with permission—

- G that which he has separated is not [valid] heave offering.
- **1:2** A A heresh
  - B who speaks but does not hear
  - C may not separate heave offering,
  - D but if he separated heave offering, that which he has separated is [valid] heave offering.
  - E The *heresh* of which the sages spoke under all circumstances is one who neither hears nor speaks.
- **1:3** A Minor who has not produced two [pubic] hairs—
  - B R. Judah says, "That which he separates is [valid] heave offering."
  - C R. Yose says, "If [he separated heave offering] before he reached the age of vows, that which he has separated is not [valid] heave offering.
  - D "But [if he separated heave offering] after he reached the age of vows, that which he has separated is [valid] heave offering."
- **1:4** A They may not separate olives as heave offering for [olive] oil, nor grapes [as heave offering] for wine.
  - B And if they separated [either olives as heave offering for both olives and oil, or grapes as heave offering for both grapes and wine]—
  - C The House of Shammai say, "Their [the grapes' or olives'] own heave offering is in it [in that which they have separated; but that which they separated for the wine or oil is not valid heave offering]."
  - D And the House of Hillel say, "That which they have separated is not [valid] heave offering (in any respect]—,'
- **1:5** A They do not separate heave offering
  - B (1) from gleanings, or (2) from forgotten sheaves, or (3) from [produce growing in the] corner of a field, [which is left for the poor], or (4) from ownerless property;
  - II C and (5) not from first tithe from which heave offering [of the tithe] has been removed;
    - D and (6) not from second tithe or [produce] dedicated [to the Temple] which have been redeemed;
  - III E and (7) not from that which is liable [to the separation of heave offering] for that which is exempt [from the separation of heave offering];
    - F and not from that which is exempt for that which is liable;
    - G and (8) not from that which is picked for that which is not picked;
    - H and not from that which is not picked for that which is picked;
    - I and (9) not from that which is new [viz., produce of the present year] for that which is old [viz., produce left over from a previous year (T 2:6)];
    - J and not from that which is old for that which is new;
    - K and (10) not from produce of the Land [of Israel] for produce from outside of the Land [of Israel];
    - L and not from produce from outside of the Land [of Israel] for produce of the Land [of Israel].
    - M And if they separated heave offering [from any of the types of produce listed at B-D, or in any of the fashions described at E-L]—
    - N that which they have separated is not [valid] heave offering.

- **1:6** A Five [sorts of people] may not separate heave offering,
  - B but if they separated heave offering, that which they have separated is [valid] heave offering:
  - C (1) a mute, (2) a drunkard, (3) a naked person, (4) a blind person, and (5) a person who has had a nocturnal emission
  - D may not separate heave offering.
  - E But if [any of these individuals] separated heave offering, that which they have separated is [valid] heave offering.
- **1:7** A They do not separate heave offering by (1) a measure (of volume], or by (2) weight, or by (3) a count [of the number of pieces of fruit being separated as heave offering].
  - B But he separates the heave offering of (1) [produce] which has been measured, of (2) that which has been weighed, and of (3) that which has been counted.
  - C They do not separate heave offering in a basket or in a vessel which [hold a known] measure.
  - D But he separates heave offering in them [if they are] one-half or one-third part [filled].
  - E He may not separate heave offering in [a basket which holds one] *seah*, [if it is] one-half part [filled],
  - F since the half thereof is a [known] measure.
- **1:8** A They may not separate oil as heave offering for olives which have been crushed,
  - B nor wine [as heave offering] for grapes which have been trampled [but the processing of which has not yet been completed].
  - C But if he [*sic*] separated heave offering [in either of these fashions]—
  - D that which he has separated is [valid] heave offering.
  - E But he must separate heave offering again.
  - F The first [produce separated as heave offering] imposes the status of heave offering [upon other produce with which it is mixed], by itself [even if it falls into other produce apart from the second produce separated as heave offering; cf. M. 3:1].
  - G And [non-priests who accidentally eat it] are liable to the [added] fifth on its account.
  - H But this is not the case as regards the second [produce separated as heave offering].
- **1:9** A But they may separate oil as heave offering for olives which have been preserved,
  - B and wine (as heave offering] for grapes which are being made into raisins.
  - C Lo, if he separated oil as heave offering for olives intended for eating [olives the preparation of which has been completed],
  - D or olives [as heave offering] for olives intended for eating,
  - E or wine [as heave offering] for grapes intended for eating,
  - F or grapes [as heave offering] for grapes intended for eating,
  - G and [afterwards] decided [instead] to press them [any of the produce which he originally intended for consumption as foods],
  - H he need not separate heave offering [a second time].
- **1:10** A They may not separate heave offering
  - B from (1) produce the preparation [for consumption] of which is completed for produce the preparation of which is not completed;
  - C nor from (2) produce the preparation of which is not completed for produce the preparation of which is completed;

- D nor from (3) produce the preparation of which is not completed for produce the preparation of which is not completed.
- E But if he separated heave offering [in any of these ways]—
- F that which he has separated is [valid] heave offering.
- **2:1** A They may not separate heave offering from that [produce] which is clean for that which is unclean.
  - B But if they separated heave offering [in that manner], that which they have separated is [valid] heave offering.
  - C However:

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- D [as regards] a circle of pressed figs, a portion of which became unclean—
- E he separates heave offering from the clean [produce] which is in it for the unclean [produce] which is in it;
- F and so [in the case of] a bunch of greens;
- G and so [in the case of] a heap [of produce].
- H [If] there were two circles [of pressed figs], two bunches [of greens], two heaps [of produce], one of which was unclean and one of which was clean—
- I he may not separate heave offering from one for the other.
- J R. Eliezer says, "They separate heave offering from that which is clean for that which is unclean."
- **2:2** A They do not separate heave offering from that [produce] which is unclean for that which is clean.
  - B And if he separated heave offering [in that manner]—
  - C [if he did it] unintentionally, that which he has separated is [valid] heave offering;
  - D [but if he did it] intentionally, he has not done anything.
  - E And so [in the case of] a Levite who had [first] tithe from which heave offering [of the tithe] had not been separated.
  - F [If he] was removing from it [heave offering of the tithe for other clean first tithe], unintentionally, that which he has done is done [and valid];
  - G [but if he did it] intentionally, he has not done anything.
  - H R. Judah says, "If he knew about it [knew that the produce was unclean] from the beginning, even though [he forgot and his later actions were] unintentional, he has not done anything.
- **2:3** I A One who immerses [unclean] utensils on the Sabbath—
  - B [if he does so] unintentionally, he may use them;
  - C [but if he does so] intentionally, he may not use them.
  - D One who tithes [his produce], or who cooks on the Sabbath—
    - E [if he does so] unintentionally, he may eat [the food he has prepared];
    - F [but if he does so] intentionally, he may not eat [the food].
  - III G One who plants [a tree] on the Sabbath—
    - H [if he does so] unintentionally, he may leave it [to grow];
      - I [but if he does so] intentionally, he must uproot fit].
      - J But in the Seventh Year [of the Sabbatical cycle], whether [he has planted the tree] unintentionally or intentionally, he must uproot it.

- **2:4** A They may not separate heave offering from [produce of one] kind for [produce] which is not of its same kind.
  - B And if he separated heave offering [in this way]— that which he has separated is not (valid] heave offering.
  - C All kinds of wheat are [considered] one [species];
  - D all kinds of figs, dried figs and [circles of] pressed figs are [considered] one [species]—
  - E so he separates heave offering from one [kind of wheat, or figs] for another [kind].
  - F Wherever there is a priest [to receive the heave offering at once], [the householder] separates heave offering from the choicest [produce].
  - G Wherever there is not a priest [to receive the heave offering immediately], he separates heave offering from that which keeps.
  - H R. Judah says, "He always should separate heave offering from the choicest [produce]."
- **2:5** A They separate a whole small onion as heave offering [for other produce] but not half of a large onion.
  - B R. Judah says, "No, rather, they separate half of a large onion as heave offering [for other produce]."
  - C And so would R. Judah say, "They separate onions from large towns as heave offering for [onions] from villages but not [onions] from villages [as heave offering] for [onions] from large towns,
  - D since they are the food of city people [and therefore of higher quality]."
- **2:6** A And they separate olives for oil as heave offering for olives for pickling;
  - B but not olives for pickling [as heave offering] for olives for oil.
  - C And [they separate] wine which has not been boiled [as heave offering] for that which has been boiled;
  - D but not that which has been boiled [as heave offering] for that which has not been boiled.
  - E This is the general principle:
  - F [in the case of] any [produce] which is a distinct kind in relation to another [type of produce]—

he may not separate heave offering from one for the other, even from the more choice [as heave offering] for the less choice.

G But [in the case of] any [produce] which is not a distinct kind in relation to other [produce]—

he separates heave offering from the more choice for the less choice, but not from the less choice for the more choice.

- H But if he separated heave offering from the less choice for the more choice that which he has separated is [valid] heave offering.
- I Except in the case of rye grass [separated as heave offering] for wheat,
- J since it [rye grass] is not a food.
- K And cucumber and squash are a single kind.
- L R. Judah says, "[They are] two [different] kinds."
- **3:1** A One who separates a chatemelon as heave offering [for other chatemelons] and it is found to be bitter,
  - B [or who separates] a watermelon [as heave offering for other watermelons] and it is found to be rotten—
  - C [that which he has separated is valid] heave offering.
  - D But he must separate heave offering again.

- E One who separates a keg of wine as heave offering [for other wine] and it is found to be vinegar—
- F if it was known before he separated it as heave offering [for the other wine] that it was vinegar,
  - [that which he has separated is] not [valid] heave offering.
- G If it turned into vinegar after he separated it as heave offering, lo, this is [valid] heave offering.
- H [And] if there is a doubt [as to whether it was vinegar when it was separated as heave offering,

[that which he has separated is valid] heave offering.

- I But he must separate heave offering again.
- J The first [produce separated as heave offering at A-D and E + H-I] does not impose the status of heave offering [on other unconsecrated produce with which it is mixed] by itself [if it alone is mixed with other such produce].
- K And [non-priests who accidentally eat it] are not required to pay back [its value and] the [added] fifth.
- L And so [is the case as regards] the second [produce separated as heave offering].
- **3:2** A [If] one of them [one of the quantities of produce separated as heave offering at A-D or E + H-I] fell into unconsecrated produce—

it does not impose the status of heave offering [upon the mixture].

B [If] the second [produce separated as heave offering] fell elsewhere [into a different batch of unconsecrated produce]—

it does not impose the status of heave offering [upon the mixture]

C [But if] the two [quantities of produce separated as heave offering] fell into the same place [into the same batch of unconsecrated produce] they impose the status of heave offering [on that produce] in accordance with [the bulk of] the smaller of the two [quantities of produce separated as heave offering].

- **3:3** A Partners who separated heave offering [from the same commonly owned produce] one after the other—
  - B R. Aqiba says, "That which was separated by both of them is [valid] heave offering."
  - C But sages say, "[Only] that which was separated by the first is [valid] heave offering."
  - D R. Yose says, "If the first [partner] separated the required measure [of heave offering] [see M. Ter. 4:3], that which was separated by the second [partner] is not [valid] heave offering.
  - E "But if the first [partner] did not separate the required measure [of heave offering], that which was separated by the second [partner] is [also valid] heave offering."
- **3:4** A In what [case] does the opinion apply?
  - B [To the case] in which neither [of the partners] conferred [with the other].
  - C But:
  - D [In a case in which one] gave permission to a member of his household, to his slave, or to his maidservant to separate heave offering—
  - E that which that individual separates is [valid] heave offering.
  - F [If he] retracted [the permission]—
  - G if he retracted [it] before [the other individual] separated heave offering that which [that individual] has separated is not [valid] heave offering.
  - H But if he retracted [it] after [the other individual] separated heave offering that which [that individual] has separated is [valid] heave offering.

- I Workers do not (automatically] have permission to separate heave offering [from the produce with which they are working],
- J except for those who tread [the grapes or olives in the tank],
- K for they at once impart to the tank [susceptibility to] uncleanness.
- **3:5** I A One who says, "The heave offering of this heap is within it," or "Its tithes are within it," [or] "Its heave offering of the tithe is within it"—
  - B R. Simeon says, "He has [validly] designated [these agricultural gifts]."
  - C But sages say, "[He has not validly designated these things] unless he will say, "[They are] in its [the heap's] northern portion," or "[They are] in its southern portion."
  - II D R. Eleazar Hisma says, "One who says, 'The heave offering of this heap [is separated] from it, for it,' has [validly] designated [the heave offering]."
  - III E R. Eliezer b. Jacob says, "One who says, 'A tenth of this [first] tithe is made heave offering of the tithe for it [for all of the first tithe],' has [validly] designated it."
- **3:6** A One who separates (1) heave offering before firstfruits,
  - (2) first tithe before heave offering,
  - (3) or second tithe before first [tithe],
  - B even though he transgresses a negative commandment,
  - C that which he has done is done [and valid];
  - D as it is written, You shall not delay to offer from the fullness of your harvest and from the outflow of your presses (Ex. 22:29).
- **3:7** A And from where [do we know] that firstfruits should be separated before heave offering,
  - B for this [heave offering] is called heave offering [Num. 18:11] and first [Num. 18:121,
  - C and this [firstfruits] is called heave offering [Dt. 12:6] and first [Ex. 23:19].
  - D Still firstfruits should be separated first, since they are the firstfruits of all [produce].
  - E And [they should separate] heave offering before first [tithe],
  - F since it [heave offering] is [called] 'first.'
  - G And [they should separate] first tithe before second [tithe],
  - H since it has in it [an offering called] 'first.'
- **3:8** A (1) One who [in designating agricultural gifts] intends to say, "heave offering," but says, "tithe," "tithe," "tithe," but says "heave offering,"
  - B (2) [or who, in designating a sacrifice, intends to say,] "burnt offering," but says, "peace offering," "peace offering," but says, "burnt offering";
  - C (3) for who, in making a vow, intends to say], "that I will not enter this house," but says, "that house," "that I will not derive benefit from this one," but says, "from that one,"
  - D has not said anything,
  - E until his mouth and heart agree.
- **3:9** A A gentile and a Samaritan—
  - B (1) that which they separate is [valid] heave offering,
    - (2) and that which they take as tithes is [valid] tithes,
      - (3) and that which they dedicate [to the Temple] is [validly] dedicated.
  - C R. Judah says, "A gentile's vineyard is not subject to [the laws] of the Fourth Year (Lev. 19:24)."

- D But sages say, "It is."
- E Heave offering separated by a gentile imposes the status of heave offering [upon unconsecrated produce with which it is mixed] and [non-priests who accidentally eat it] are liable on its account to [pay back its value and] the [added] fifth (Lev. 22:10-14).
- F But R. Simeon exempts [heave offering separated by a gentile from these stringencies].
- **4:1** A One who separates part of the heave offering and tithes [required of a batch of produce]
  - B [subsequently] removes [more] heave offering from that [same] batch for that [same] batch.
  - C But [he may] not [separate heave offering] from that batch [from which he already has separated some heave offering and tithes] for a different batch.
  - D R. Meir says, "Also: he removes heave offering and tithes [from that batch from which he already has removed some heave offering and tithes] for a different batch."
- **4:2** A One whose produce was in a storeroom and gave a *seah* [of produce] to a Levite [as first tithe] and a *seah* [of produce] to a poor person [as poor man's tithe]
  - B "takes another eight *seahs* [of produce] and eats them [without further tithing]"—the words of R. Meir.
  - C But sages say, "He does not take produce [to eat] except in accordance with a calculation [of the percentage of tithes which remain to be separated from the batch as a whole]."
- **4:3** A [This is] the [required] measure of heave offering:
  - B [If a man is] generous, [he separates] one-fortieth [of his produce].
  - C The House of Shammai say, "One-thirtieth."
  - D And [if he is] average, [he separates] one-fiftieth [of his produce].
  - E And [if he is] miserly, [he separates] one-sixtieth [of his produce].
  - F [If] he separated heave offering and there came up in his hand one-sixtieth [of the produce]—[that which he has separated is valid] heave offering,
  - G and he need not separate heave offering again.
  - H If he [anyway separated] more [heave offering], it [the additional produce separated as heave offering] is liable to the separation of tithes [it is not true heave offering].
  - I [If he separated heave offering and] there came up in his hand one-sixty-first [of the produce]—
    - [that which he has separated is valid] heave offering,
  - J but he must separate heave offering again,
  - K [in order to derive] the quantity [of heave offering] he is used [to separating].
  - L [And he may separate the additional heave offering] by measure [of volume], by weight, or by a count [of the number of pieces of produce being separated as heave offering].
  - M R. Judah says, "Also: [he may separate the additional quantity of heave offering] from [produce] which is not nearby [from a different batch]."
- **4:4** A One who says to his agent, "Go and separate heave offering [for me]"—
  - B he [the agent] separates heave offering in accordance with the disposition of the householder.
  - C [And] if he does not know the disposition of the householder,
  - D he separates the average amount,
  - E one-fiftieth.

- F [If the agent at A-B or C-D unintentionally] separated one-tenth less or more [than the percentage he needed to separate] that which he separates [still] is [valid] heave offering.
- G If he purposely added even one-hundredth—that which he has separated is not [valid] heave offering.
- **4:5** A One who separates much heave offering:
  - B R. Eliezer says, "[He may separate as much as] one-tenth,
  - C "[an amount] equal to [that separated as] heave offering of the tithe.
  - D "[If he wishes to separate] more than this, let him designate it [the surplus] heave offering of the tithe for a different batch."
  - E R. Ishmael says, "[He may separate so much as to render] half [of the batch] unconsecrated produce and half [of the batch] heave offering."
  - F R. Tarfon and R. Aqiba say, "[He may separate as much heave offering as he wishes] provided that he leaves there [some] unconsecrated produce."
- **4:6** A At three times [in the year] do they calculate [the quantity of untitled produce in] the [storage] basket [in order to allow the separation of the proper amount of heave offering]:
  - B (1) at [the time of] the first ripe fruits, and (2) [at the time of] the late summer fruits, and (3) in the middle of the summer.
  - C (1) One who counts [the produce] is praiseworthy, and (2) one who measures [the volume of the produce] is more praiseworthy than he; but (3) one who weighs [the produce] is the most praiseworthy of the three.
- **4:7** A R. Eliezer says, "Heave offering is neutralized [takes on the status of unconsecrated produce] [when one part of heave offering is mixed] in [a total of] a hundred and one [parts of produce]."
  - B R. Joshua says, "[It is neutralized when there is one part of heave offering] in a hundred [parts of produce] plus [a bit] more.
  - C "And this *more* has no [fixed] measure."
  - D R. Yose b. Meshullam says, "[This *more* is] an additional *qab* per hundred *seahs*,
  - E "[which equals] one-sixth of [the quantity of] heave offering in the mixture."
- **4:8** A R. Joshua says, "Black figs neutralize white ones, and white ones neutralize black ones. B "[And in the case of] cakes of pressed figs—
  - (1) "large ones neutralize small ones, and small ones neutralize large ones;
  - (2) "round ones neutralize square ones, and square ones neutralize round ones."
  - C R. Eliezer deems [heave offering mixed with such different types of its same genus of produce to remain] forbidden [for consumption as common produce].
  - D And R. Aqiba says, "When it is known which [type of produce in the status of heave offering] fell [into the unconsecrated produce, the two different types] do not neutralize one another.
  - E "But when it is not known which [type of produce in the status of heave offering] fell [into the unconsecrated produce, the two different types of produce] neutralize one another.
- **4:9** A "How so?
  - B "[If there were] fifty [unconsecrated] white figs and fifty [unconsecrated] black figs [together in a basket]—

- C "[if] a black fig [which was heave offering] fell into the basket, the black figs are forbidden [for consumption as unconsecrated produce], and the white figs are permitted [for consumption as unconsecrated produce].
- D "[If] a white fig [which was heave offering] fell [into the basket], the white figs are forbidden [for consumption as unconsecrated produce], and the black figs are permitted [for consumption as unconsecrated produce].
- E "But if he does not know what [color fig] fell [into the basket, white and black figs] neutralize one another [and all of the figs in the basket are permitted for consumption as unconsecrated produce]."
- F And in this [the rules of M. 4:8 A-C], R. Eliezer is stringent and R. Joshua is lenient.
- **4:10** A But in this [case] R. Eliezer is lenient and R. Joshua is stringent:
  - B In [a case in which] one stuffed a *litra* of dried figs [in the status of heave offering] into the mouth of a jar [filled] with [a hundred *litras* of] unconsecrated [dried figs], but does not know which [jar]—
  - C R. Eliezer says, "They regard them as if they were loose figs, and the bottom ones neutralize the top ones."
  - D R. Joshua says, "[The heave offering] will not be neutralized unless a hundred jars are there."
- **4:11** A A *seah* of heave offering which fell into the mouth of a store jar,
  - B and one skimmed it off—
  - C R. Eliezer says, "If in the layer removed were a hundred *seahs*,
  - D "[the heave offering] is neutralized in a hundred and one [parts of produce]."
  - E But R. Joshua says, "[The heave offering] is not neutralized."
  - F A *seah* of heave offering which fell into the mouth of a store jar he should skim it off.
  - G But if so, why did they say heave offering is neutralized in a hundred and one [parts of unconsecrated produce]?

[That is the case only] if one does not know whether or not it [the produce which is heave offering] is mixed up [with the unconsecrated produce] or where [in the unconsecrated produce] it fell.

**4:12** A (1) Two bins [the combined content of which is a hundred *seahs* of unconsecrated produce], or (2) two store jars [the combined content of which is a hundred *seahs* of unconsecrated

or (2) two store jars [the combined content of which is a hundred *seahs* of unconsecrated produce]

- B into one of which fell a *seah* of heave offering,
- C and it is not known into which of them it fell—
- D [the bins or store jars] neutralize [the heave offering] in conjunction with one another [we deem the heave offering to have fallen into a single batch of a hundred *seahs* of produce].
- E R. Simeon says, "Even if they [the two baskets or store jars] are in two [different] cities— "they neutralize [the heave offering] in conjunction with one another."
- **4:13** A Said R. Yose, "A case came before R. Aqiba concerning fifty bundles of vegetables, among which had fallen a similar bundle, half of which was heave offering.
  - B "And I said before him, '[The heave offering] is neutralized.'

	С	of] f	t that heave offering is neutralized in [a mixture of one part of heave offering in a total ifty-one [parts of produce, but,] rather, because there were a hundred and two half <i>hs</i> , only one of which was heave offering]."
5:1	Ι	А	A <i>seah</i> of unclean heave offering which fell into less than a hundred [ <i>seahs</i> ] of unconsecrated produce,
		В	or [which fell] into first tithe, or second tithe or [produce] dedicated [to the Temple],
		С	whether these things are clean or unclean—
		D	let [all of the produce in the mixture] rot.
	II	Ε	If that <i>seah</i> [of heave offering which fell into the other produce] was clean—let [all of the produce in the mixture] be sold to priests, at the [low] value of heave offering,
		F	less the value of that same <i>seah</i> [of heave offering which fell into the unconsecrated produce].
		G	And if it fell into first tithe—let him designate [the mixture] heave offering of the tithe.
		Η	And if it fell into second tithe or [produce] dedicated [to the Temple]lo, these may be redeemed.
	III	Ι	If the unconsecrated produce [into which the heave offering fell] was unclean—let [all of the produce in the mixture] be eaten in small bits, or roasted, or kneaded with fruit juice, or divided into [little] lumps [of dough],
		J	such that there will not be in a single place an egg's bulk [of produce].
5:2	Ι	А	A <i>seah</i> of unclean heave offering which fell into a hundred [ <i>seahs</i> ] of clean [unconsecrated] produce [and so is neutralized]—
		B C	<ul><li>R. Eliezer says, "Let it be raised up and burned.</li><li>"For I say, 'The <i>seah</i> which fell [into the unconsecrated produce] is the [same] <i>seah</i> that is raised up."</li></ul>
		D	But sages say, "[The heave offering] is raised up [out of the mixture] and is eaten dry, or roasted, or kneaded with fruit juice, or divided into lumps [of dough],
		Е	"so that there is not in a single place as much as an egg's bulk [of produce]."
5:3	II	А	A <i>seah</i> of clean heave offering which fell into a hundred [ <i>seahs</i> ] of unclean unconsecrated produce—
		В	let it be raised up and eaten dry, or roasted or kneaded with fruit juice, or divided into lumps [of dough],
		С	such that there is not in a single place as much as an egg's bulk [of produce].
5:4	III	А	A <i>seah</i> of unclean heave offering which fell into a hundred [ <i>seahs</i> ] of clean heave offering—
		В	the House of Shammai declare [the mixture] to be forbidden [for consumption by a priest].
		С	But the House of Hillel permit.
		D	Said the House of Hillel to the House of Shammai, "Since clean (heave offering] is forbidden to non-priests, and unclean [heave offering] is forbidden to priests, if clean [heave offering] can be neutralized, so unclean [heave offering] can be neutralized."

- E Said to them the House of Shammai, "No! If unconsecrated produce, to which leniency applies and which is permitted to non-priests, neutralizes clean [heave offering], should heave offering, to which stringency applies and which is forbidden to non-priest, [have that same power and] neutralize unclean [heave offering]?"
- F After they had agreed:
- G R. Eliezer says, "Let it be raised up and burned."
- H But sages say, "It has been lost through its scantiness."
- **5:5** A A *seah* of heave offering which fell into a hundred [*seahs* of unconsecrated produce, and was thereby neutralized],
  - B and one lifted it out [took a new *seah* of heave offering for the priest], and [the replacement heave offering] fell into a different batch [of unconsecrated produce]—
  - C R. Eliezer says, "[That which falls into the second batch] imparts the status of heave offering [to the produce with which it is mixed] as does true heave offering."
  - D But sages say, "It does not impart the status of heave offering except in accordance with a calculation [of the percentage of the produce which is true heave offering]."
- **5:6** A A *seah* of heave offering which fell into less than a hundred [*seahs* of unconsecrated produce], and [that produce thereby] took on the status of heave offering,
  - B and [produce] fell from the mixture into a different batch—
  - C R. Eliezer says, "[That portion of the mixture which falls into the second batch] imparts the status of heave offering [to the produce with which it is mixed] as does true heave offering."
  - D But sages say, "A mixture of heave offering and unconsecrated produce does not impart the status of heave offering [to produce with which it is mixed] except in accordance with a calculation [of the quantity of true heave offering contained in the mixture].
  - E "And that which has been leavened does not impart the status of heave offering to that which it leavens except in accordance with a calculation [of the quantity of true heave offering in the mixture].
  - F "And [water from an immersion pool which was made unfit by being mixed with] drawn water does not impart a status of invalidity to [other] immersion pools except in accordance with a calculation [of the percentage of drawn water it contains]."
- **5:7** A A *seah* of heave offering which fell into a hundred [*seahs* of unconsecrated produce, and so was neutralized]—
  - B if one lifted it out [of the mixture to give to a priest] and a different [*seah* of heave offering] fell [into the same produce],
  - C lifted out of that [*seah*], and a different [*seah* of heave offering] fell [into the same produce]—
  - D lo, this [the batch in which the mixtures occurred] is permitted [for consumption as unconsecrated produce],
  - E until there [will have fallen into the batch] a greater quantity of heave offering than there [originally was] unconsecrated produce.
- **5:8** A A *seah* of heave offering which fell into a hundred [*seahs* of unconsecrated produce, and so was neutralized], and which one had not lifted out [of the mixture] before a different [*seah* of heave offering] fell [into that same produce]—

- B lo, this [the batch of produce] is forbidden [for consumption by non-priests].
- C But R. Simeon permits.
- 5:9
- I A *seah* of [wheat in the status of] heave offering which fell into a hundred [*seahs* of unconsecrated wheat, and thereby was neutralized], and one ground it [all of the wheat in the mixture], and it diminished [in quantity]—
  - B just as the unconsecrated [wheat in the mixture] diminished [in quantity], so the heave offering diminished [in quantity].
  - C [The mixture therefore remains] permitted [for consumption by non-priests].
  - II D A *seah* of [wheat in the status of] heave offering which fell into less than a hundred [*seahs* of unconsecrated wheat, and thereby imparted its own status to the whole batch], and one ground it [all of the wheat in the batch], and it increased [in quantity]—
    - E just as the unconsecrated [wheat] increased [in quantity], so the [wheat in the status of] heave offering increased [in quantity].
    - F [The mixture therefore remains] forbidden [for consumption by a non-priest].
    - G If it is known that the unconsecrated wheat is of better quality than the [wheat in the status of] heave offering—
    - H [the mixture becomes] permitted [for consumption by a non-priest].
  - III I A seah of heave offering which fell into less than a hundred [seahs of unconsecrated produce], and afterwards [more] unconsecrated [produce] fell there [into the same batch]—
    - J if [this happened] unintentionally, [the mixture becomes] permitted;
    - K but if fit happened] intentionally, [the mixture remains] forbidden.
- **6:1** A [A non-priest] who unintentionally eats heave offering pays back the principal and an [added] fifth.
  - B The same [rule applies to] (1) one who [unintentionally] eats [produce in the status of heave offering], to (2) one who [unintentionally] drinks [liquids in the status of heave offering], and to (3) one who [unintentionally] anoints [himself with oil in the status of heave offering].
  - C The same [rule applies to] (4) [one who unintentionally misappropriates] clean heave offering, and to (5) [one who unintentionally misappropriates] unclean heave offering.
  - D He pays back [the principal and added] fifth, and a fifth of the [added] fifth.
  - E He does not pay restitution with heave offering; rather [he pays it with] unconsecrated produce, and this takes on the status of heave offering.
  - F And [since] the restitution is heave offering, [even] if the priest wishes, he may not refuse [it].
- **6:2** A The daughter of an Israelite who [unintentionally] ate heave offering and afterwards was married to a priest—
  - B if she ate heave offering of which a priest had not yet effected acquisition, she pays the principal and [added] fifth to herself.
  - C But if she ate heave offering of which a priest [already] had effected acquisition, she pays the principal to [its] owner [to the priest whose heave offering it was] and the [added] fifth to herself.
  - D For they have said,
  - E "One who unintentionally eats heave offering pays the principal to [its] owner and the [added] fifth to whomever he wishes."

- **6:3** A "One who [unintentionally] gives his workers or guests heave offering to eat:
  - B "he pays the principal, and they pay the (added] fifth"— the words of R. Meir.
  - C But sages say, "They pay [both] the principal and the [added] fifth,
  - D "and he pays them the cost of their meal."

## **6:4** I A One who steals heave offering but does not eat it, pays as restitution twice the monetary equivalent of the heave offering.

- II B [If] he [unintentionally] ate it— he pays twice the principal and an [added] fifth (of one of the principals]:
  - C [one] principal and the [added] fifth [he pays] out of unconsecrated produce,
  - D and [the other] principal [he pays] in the monetary equivalent of the heave offering.
- III E [If] he stole heave offering which was dedicated [to the Temple] and [unintentionally] ate it—
  - F he pays two [added] fifths and the principal,
  - G for [the requirement of] the payment of twofold restitution is not applicable in [the case of] items dedicated [to the Temple].
- **6:5** A They do not pay restitution with (1) gleanings, (2) forgotten sheaves, (3) [produce grown in] the corners [of a field, which is left for the poor] or (4) ownerless property,
  - B "and not with (5) first tithe from which heave offering of the tithe has been removed,
  - C "and not with (6) second tithe or [produce] dedicated [to the Temple] which have been redeemed,
  - D "for a consecrated thing does not serve for the redemption of a consecrated thing"—the words of R. Meir.
  - E But sages permit [in the case of] these [all of the items listed at A-C].
- 6:6 A R. Eliezer says, "They pay restitution [for heave offering unintentionally eaten by a non-priest] with [produce of] one kind on behalf of [produce] which is not of its same kind,
   B "with the stipulation that he must pay restitution with more choice [produce] for less
  - choice [produce]" [see M. 2:4–6].
  - C But R. Aqiba says, "They pay restitution only with [produce of] one kind on behalf of [produce] which is of its same kind.
  - D "Therefore:
  - E "if he ate cucumbers [in the status of heave offering grown on] the eve of the Sabbatical year, he waits for cucumbers (grown in] the year after the Sabbatical year and pays restitution with them."
  - F On the basis of the same verse in accordance with which R. Eliezer rules leniently, R. Aqiba rules stringently.
  - G For it says, [If a man eats of a holy thing unwittingly, he shall add the fifth of its value to it,] and give the holy thing to the priest (Lev. 22:14).
  - H "[He may give the priest] anything which is fit to be holy"—the words of R. Eliezer.
  - I But R. Aqiba says, "*And give the holy thing to the priest*. [He must give the priest] that holy thing which he ate."
- **7:1** A [A non-priest] who intentionally eats heave offering pays back the principal but does not pay the [added] fifth.
  - B That which is paid as restitution [retains the status of] unconsecrated produce.
  - C [Therefore] if the priest wished to refuse [it], he may refuse [it].

- **7:2** A The daughter of a priest who married an Israelite and afterwards [unintentionally] ate heave offering pays the principal but does not pay the [added] fifth.
  - B "And [if she commits adultery] her death is by burning.
  - C "[If] she married any person who is ineligible [and then unintentionally ate heave offering],
  - D "she pays the principal and the [added] fifth.
  - E "And [if she commits adultery] her death is by strangling"—the words of R. Meir.
  - F But the sages say, "Both of these [women] pay the principal but do not pay the [added] fifth,
  - G "and [if they commit adultery] their death is by burning."
- **7:3** A (1) One who gives his minor children or his slaves, whether they are grown or minor, [heave offering] to eat,
  - B (2) one who eats heave offering [separated from produce grown] outside of the Land [of Israel],
  - C (3) and one who eats less than an olive's bulk of heave offering
  - D pays the principal but does not pay the [added] fifth.
  - E [That which is given as] restitution [retains the status of] unconsecrated produce.
  - F [Therefore] if the priest wished to refuse (it], he may refuse [it].
- **7:4** A This is the general rule:

Ι

- B Anyone who pays the principal and the [added] fifth— [that which is given as] restitution [takes on the status of] heave offering, and [therefore, even] if the priest wished to refuse fit], he may not refuse [it].
- C [And] anyone who pays the principal but does not pay the [added] fifth— [that which is given as] restitution [retains the status of] unconsecrated produce, [and, therefore,] if the priest wished to refuse [it,] he may refuse [it].
- **7:5** A Two bins, one [filled] with heave offering, and the other [filled] with [less than a hundred *seahs* of] unconsecrated produce,
  - B into one of which fell a *seah* of heave offering,
  - C but it is not known into which of them it fell—
  - D lo, I say, "Into the [bin filled with] heave offering it fell" [and so there has been no mixing of heave offering and unconsecrated produce].
  - E [If] it is not known which [of the bins] is [filled] with heave offering and which is [filled] with unconsecrated produce—
  - F [if] he ate [the produce in] one of them, he is exempt (from the payment of the principal and added fifth, i.e., we assume that he ate unconsecrated produce].
    - G And (as for] the second [bin]—he [thereafter] treats it as heave offering.
    - H "But [dough made from] it is liable to [the separation of] dough offering [since it might be unconsecrated produce]"—the words of R. Meir.
    - I R. Yose exempts [it from the separation of dough offering].
    - J [If] a different person ate [the produce in] the second [bin], he is exempt [from payment of the principal and added fifth, i.e., we assume that he ate unconsecrated produce].
    - K [If] a different person ate [the produce in] both [of the bins], he pays restitution in accordance with [the amount of produce in] the smaller of the two.

- **7:6** II A [If the produce in] one of them [of the bins] fell into unconsecrated produce, it does not impart the status of heave offering [to that produce].
  - B And [as for] the second [bin]—he [thereafter] treats it like heave offering.
  - C "But [dough made from] it is liable to [the separation of] dough offering"—the words of R. Meir.
  - D R. Yose exempts [it from the separation of dough offering].
  - E [If the produce in the] second [bin] fell into a different batch [of unconsecrated produce], it does not impart the status of heave offering [to that produce].
  - F [If the produce in] both [of the bins] fell into a single batch [of unconsecrated produce], they impart the status of heave offering [to the produce] in accordance with [the amount of produce in] the smaller of the two [bins].
- **7:7** III A [If] he sowed [as seed the produce in] one of them [of the bins, the crop which results] is exempt [from the laws of heave offering, i.e., it is not treated as heave offering (see M. Ter. 9:6)].
  - B And [as for] the second [bin]—he [thereafter] treats it as heave offering.
  - C "But [dough made from] it is liable [to the separation of] dough offering"—the words of R. Meir.
  - D But R. Yose exempts [it from the separation of dough offering].
  - E [If] a different person sowed the second [bin], [the resultant crop] is exempt [from the laws of heave offering].
  - F [If] one person sowed both [bins]—
  - G in the case of a kind [of produce] the seed of which disintegrates, [the crop] is permitted [for consumption as unconsecrated produce (M. Ter. 9:5–6)].
  - H But in the case of a kind [of produce] the seed of which does not disintegrate, [the crop] is forbidden [for consumption as unconsecrated produce, i.e., it is treated as heave offering].

## **8:1** I A (1) The wife [of a priest] who was eating heave offering,

- B [and] they came and told her, "Your husband has died," or, "[Your husband] has divorced you" [such that the woman no longer has the right to eat heave offering];
- C (2) and so [in the case of] a slave (of a priest] who was eating heave offering,
- D and they came and told him, "Your master has died," or, "He sold you to an Israelite," or, "He gave you [to an Israelite] as a gift," or, "He has made you a freeman" [in any of which cases, the slave no longer may eat heave offering];
- E (3) and so [in the case of] a priest who was eating heave offering,
- F and it became known that he is the son of a divorcée, or of a *halusah* [a woman who has undergone the rite of removing the shoe (Dt. 25:10)] [and therefore may not eat heave offering]—
- G R. Eliezer declares [all of these individuals] liable to payment of the principal and [added] fifth [of the heave offering they unintentionally had eaten as non-priests].
- H But R. Joshua exempts.
- II [If a priest] was standing and offering sacrifices at the altar, and it became known that he is the son of a divorcée or of a *halusah*
  - J R. Eliezer says, "All of the sacrifices which he had [ever] offered on the altar are invalid."
  - K But R. Joshua declares them valid.
  - L If it became known that he is blemished—his service [retroactively] is invalid.

- 8:2 III A And [in] all of these (cases], if they had heave offering in their mouths [at the time they were notified that they were not fit to eat heave offering]—
  - B R. Eliezer says, "Let them swallow [it]."
  - C But R. Joshua says, "Let them spit [it] out."
  - IV D [If] they told him [anyone with heave offering in his mouth], "You have become unclean," or "The heave offering has become unclean"—
    - E R. Eliezer says, "Let him swallow [it]."
    - F But R. Joshua says, "Let him spit [it] out."
    - G [If they told him,] "You were unclean (at the time you began to eat the heave offering]," or, "The heave offering was unclean,"
    - H or [if] it became known that it [what he thought was heave offering] was untitled produce, first tithe from which heave offering [of the tithe] had not been taken or second tithe or produce dedicated [to the Temple] which had not been redeemed,
    - I or if he tasted a bedbug in his mouth—
    - J lo, this one should spit it out.
- 8:3 V A [If] he was eating a cluster of grapes [as a chance meal, free from liability to tithe] and entered from the garden into the courtyard [at which point the grapes become liable to the separation of tithes (M. Ma. 3:5–6)—
  - B R. Eliezer says, "Let him finish [eating the cluster],"
  - C R. Joshua says, "He may not finish it [before he separates tithes]."
  - VI D [If he was eating a cluster of grapes as a chance meal and] dusk fell on the eve of the Sabbath [at which point the produce he is eating is liable to the separation of tithes (M. Ma. 4:2)]—
    - E R. Eliezer says, "Let him finish [eating the cluster]."
    - F R. Joshua says, "He may not finish it."
- **8:4** A Wine in the status of heave offering which is left uncovered
  - let it be poured out [test a snake drank from it and deposited in it venom].
  - B And there is no need to state [that this is the law in the case] of unconsecrated [wine which is left uncovered].
  - C Three [kinds of] liquids are forbidden [for consumption] on account of being left uncovered:
  - D (1) water, (2) wine, and (3) milk.
  - E But all other liquids are permitted [for consumption, even if they are left uncovered].
  - F Remaining [uncovered for] how long renders them [the liquids listed at D] forbidden?
  - G Long enough for a snake to leave a nearby [hiding] place and drink [from them].
- 8:5 A [This is] the quantity of uncovered water [which is permitted for consumption]: B [any amount] such that the venom [of a snake] will be diluted in it [and not poison the
  - water].
  - C R. Yose says, "[Water] in [uncovered] vessels [becomes forbidden] in any quantity [no matter how large the vessel, water left uncovered in it is prohibited];
  - D "and [as for water in pools in] the ground— "[if there is more than] forty *seahs* [it is permitted]."
- **8:6** A (1) Figs, (2) grapes, (3) cucumbers, (4) gourds, (5) watermelons, and (6) chatemelons which have on them teeth marks [of snakes],

- B even if they are in a jug,
- C it is all the same whether they are large, or small,
- D it is all the same whether they are picked or unpicked,
- E any [of them] which has moisture in it
- F is forbidden.
- G And [a beast which has been] bitten by a snake is forbidden [for slaughter as food],
- H as a danger to life.
- **8:7** A [A container of wine covered with] a wine strainer is forbidden on account of [the laws of] uncovered [liquids].
  - B R. Nehemiah permits.
- **8:8** A A jug of [wine in the status of] heave offering concerning which there arose a suspicion of uncleanness—
  - B R. Eliezer says, "If it was lying in an exposed place, he should place it in a concealed place.
  - C "And if it was uncovered, he should cover it."
  - D R. Joshua says, "If it was lying in a concealed place, he should place it in an exposed place.
  - E "And if it was covered, he should uncover it."
  - F Rabban Gamaliel says, "Let him not do anything new with it."
- **8:9** A [As to] a jug [of wine in the status of heave offering] which broke in the upper vat, and the lower [vat] is unclean—
  - B R. Eliezer and R. Joshua agree that if he can save from it a fourth in a state of cleanness, he should save [it].
  - C But if not:
  - D R. Eliezer says, "Let it go down [into the lower vat] and be made unclean.
  - E "But let him not make it unclean with his hand [through his own actions]."
- 8:10 A And so [in the case of] a jug of oil [in the status of heave offering] which was spilled—
  - B R. Eliezer and R. Joshua agree that if he can save from it a fourth in a state of cleanness, he should save [it].
    - C But if not:
    - D R. Eliezer says, "Let it run down and be soaked up [in the ground].
    - E "But let him not soak it up with his hands."
- 8:11 A But as regards both of these cases [M. 8:9C-D and M. 8:10C-E] (lit.: But on this and this): Said R. Joshua, "This is not heave offering concerning which I am warned against rendering unclean.
  - C "Rather, [it is heave offering which a priest is warned] against eating."
  - D And "not to render it unclean." How so? [In what case must the individual not render heave offering unclean?]
  - E [If] one was walking from place to place, and loaves [of bread] in the status of heave offering were in his hand—
  - F (if] a gentile said to him, "Give me one of them and I shall make it unclean, and if not, lo, I shall make all of them unclean"—
  - G R. Eliezer says, "Let him make all of them unclean, but let [the Israelite] not give him [the gentile] one of them that he make it unclean."

- H R. Joshua says, "Let him place one of them before him, on a rock."
- 8:12 A And so [in the case of] women to whom gentiles said, "Give [us] one of you that we may make her unclean, but if not, lo, we will make all of you unclean"—
  - B let them make all of them unclean, but they should not hand over a single Israelite.
- 9:1 A One who sows [as seed grain in the status of] heave offering—
  - B if [he does this] unintentionally, he should plough up [the seed].
  - C But [if he does it] intentionally, he must leave fit] to grow.
  - D If [the grain] reached a third of its growth—
  - E whether [he sows it] unintentionally or intentionally, he must let [it] grow.
  - F But in [the case of] flax [in the status of heave offering]—
  - G [even if he sows it] intentionally, he must plough [it] up.

**9:2** A And [the field in which the heave offering was sown] is subject to [the laws of] (1) gleanings, (2) forgotten sheaves and (3) [produce growing in] the corner of a field.

- B And poor Israelites and poor priests glean [in such a field].
- C And the poor Israelites sell their portion to the priests at the price of heave offering;
- D and the money [which they receive] is theirs [the poor Israelites'].
- E R. Tarfon says, "Only poor priests should glean,
- F "lest they [the poor Israelites] forget and put [the produce they glean] in their mouths."
- G Said to him R. Aqiba, "If so, only clean [priests] should glean."
- **9:3** A And [the field] is subject to (4) tithes and (5) poor man's tithe.
  - B And poor Israelites and poor priests take [the poor man's tithe].
  - C And the poor Israelites sell their [portion] to the priests at the price of heave offering;
  - D and the money [which they receive] is theirs [the poor Israelites'].
  - E He who threshes by hand [the produce grown in such a field] is praiseworthy.
  - F But he who threshes [it] with cattle, how should he do this [so that the cattle does not eat the grain which has the status of heave offering]?
  - G He hangs a feed bag from the neck of the beast and places in it [unconsecrated produce of] the same kind [as is being threshed].
  - H It turns out that he does not muzzle the animal [see Dt. 25:4] but (also] does not feed it heave offering.
- **9:4** I A That which grows from [seed in the status of] heave offering has the status of heave offering.
  - II B And what grows from [the seed of produce] that grew from [seed in the status of] heave offering is unconsecrated.
  - III C But [as regards] (1) produce which is liable to tithes, (2) first tithe, (3) aftergrowths of the Seventh Year [of the Sabbatical cycle], (4) heave offering [separated from produce grown] outside of the Land of Israel, (5) mixtures of heave offering and unconsecrated produce and (6) firstfruits—that which grows from them is common food [does not have the same status as the seed from which it grew].
  - IV D That which grows from [seed] which is dedicated [to the Temple] or second tithe is unconsecrated.
    - E And he redeems them [the seed] when they are sown.

- **9:5** A [If there are] a hundred garden beds [planted] with [seed in the status of heave offering and one [planted] with unconsecrated [seed, but it is not known which contains the unconsecrated seed],
  - B all are permitted [for consumption as unconsecrated food] in the case of a kind [of produce] the seed of which disintegrates.
  - C But in the case of a kind the seed of which does not disintegrate,
  - D even if there are a hundred beds [sown] with unconsecrated seed and one [planted] with heave offering,
  - E all of them are forbidden.
- 9:6 A Produce which is liable to the separation of tithes—
  - B that which grows from it is permitted, in [the case of] a kind [of produce] the seed of which disintegrates.
  - C But in [the case of] a kind the seed of which does not disintegrate—
  - D [even] what grows from [the seed of a crop] which grew from it is forbidden [for consumption as a chance meal, for like the seed, it is deemed liable to tithes].
  - E What is a kind [of produce] the seed of which does not disintegrate?
  - F [A kind] such as arum, garlic, or onions.
  - G R. Judah says, "Garlic is like barley [its seed disintegrates]."
- **9:7** A One who weeds alongside a gentile [in a field of] leeks [grown from seed which has not been tithed]—
  - B even though his [the gentile's] produce has the status of untithed produce,
  - C [the Israelite] makes a chance meal of it [without tithing].
  - D Saplings [from seed] in the status of heave offering which became unclean—
  - E if he planted them, they no longer render unclean [that with which they come into contact].
  - F And [the fruit of the saplings] is forbidden for consumption until he [once] trims off that fruit [which has the status of heave offering].
  - G R. Judah says, "Until he trims off [the fruit] and does so a second time [also trims off the next crop which grows]."
- **10:1** A [As regards] an onion [in the status of heave offering] which one placed [cooked] among [unconsecrated] lentils—
  - B if [the onion] is whole, it is permitted [to eat the lentils as unconsecrated food].
  - C But if one cut up [the onion and then placed it among unconsecrated lentils—
  - D [it is forbidden to eat the lentils as unconsecrated food,] if [the onion] imparts [to them its] flavor.
  - E And [as regards] all other cooked foods—
  - F whether [the onion in the status of heave offering] is whole or cut up,
  - G [it renders forbidden the unconsecrated food with which it is cooked] if it imparts [its] flavor [to that food].
  - H R. Judah permits [for the consumption of a non-priest] a pickled fish [which was cooked with an onion in the status of heave offering],
  - I for the purpose (of the onion] is only to absorb the stench [of the fish, and not to flavor the brine].
- **10:2** A [As regards] an apple [in the status of heave offering] which one chopped up and placed in dough,

- B and [as a result the dough] was leavened—
- C lo, this [the dough] is forbidden [for consumption by a non-priest].
- D [As regards] barley [in the status of heave offering] which fell into a well of water—
- E even though the water [in the well] was tainted [by the barley],
- F [the water] is permitted [for consumption by a non-priest].
- **10:3** A One who scrapes hot bread [from the side of an oven] and places it on top of a jug of wine in the status of heave offering—
  - B R. Meir deems [the bread] forbidden [for consumption by non-priests].
  - C But R. Judah deems [it] permitted.
  - D R. Yose deems [it] permitted in [the case of] bread made from wheat,
  - E but deems [it] forbidden in [the case of] bread made from barley,
  - F for barley absorbs [the wine vapor].
- **10:4** A [As regards] an oven which one fired with cumin in the status of heave offering and baked in it—
  - B the bread is permitted [for consumption by a non-priest].
  - C For the flavor of cumin is not [imparted to the bread] but, [rather,] the smell of cumin.
- 10:5 A [As regards] fenugreek which fell into a vat of [unconsecrated] wine—
  - B in [the case of fenugreek which is] heave offering or second tithe,
  - C if the seed [without the stalk] is sufficient to impart flavor [to the wine, that wine is subject to the law of heave offering or second tithe].
  - D But not [if the seed is not sufficient to impart flavor to the wine without] the stalk.
  - E In [the case of fenugreek which is produce of] (1) the Seventh Year [of the Sabbatical cycle], or (2) of a vineyard in which were sown *Diverse kinds*, or (3) [if it] is dedicated [to the Temple]—
  - F if the seed and stalk [together] are sufficient to impart flavor [to the wine, that wine is subject to the law of produce of the Seventh Year, *Diverse kinds*, or that which is dedicated to the Temple].
- **10:6** A One who had bundles of fenugreek grown in a vineyard in which were sown *Diverse kinds*—

let them be burned.

- B [If] he had bundles of fenugreek which were liable to the separation of tithes—
- C he crushes [some of the stalks] and determines the quantity of seed which [all of the stalks together] contain
- D and separates [the tithes required] for [this quantity of] seed.
- E But he does not need to separate tithes for the stalks.
- F If he separated tithes [for the stalks],
- G he may not say, "I shall crush [all of the stalks] and shall take [the stalks for myself] and give the seed [to its proper recipients, priest and Levite]."
- H Rather, he must give [to priest and Levite] the stalks along with the seed.
- **10:7** A [As regards] unconsecrated olives which one pickled with olives in the status of heave offering—
  - B [if it was] (1) crushed, unconsecrated [olives which were pickled] with crushed [olives] in the status of heave offering,

- C [or] (2) crushed, unconsecrated [olives which were pickled] with whole [olives] in the status of heave offering,
- D (3) [or if they were pickled] in brine in the status of heave offering—
- E it is forbidden [the unconsecrated olives are rendered forbidden for consumption by a non-priest].
- F But [if] whole unconsecrated [olives are pickled] with crushed [olives] in the status of heave offering it is permitted.
- **10:8** A [As regards] unclean fish which one pickled with clean fish
  - B [in the case of fish pickled in] any keg which holds two *seahs* [=9600 *zuz*, weight of brine,]
  - C if [in that two *seahs*] it contains unclean fish of a weight of ten *zuz* in Judean measure,
  - D which equals five *selas* in Galilean measure,
  - E the brine is forbidden [unclean].
  - F R. Judah says, "[It is forbidden if there is] a quarter [*-log*, i.e., fifty *zuz*, of unclean fish] in two *seahs*."
  - G R. Yose says, "[It is forbidden if the unclean fish is] one-sixteenth [of the whole, i.e., 600 *zuz*]."
- **10:9** A Unclean locusts which were pickled with clean locusts have not invalidated [imparted uncleanness to] the brine [in which they were pickled].
  - B Testified R. Sadoq concerning the brine of unclean locusts, that it is clean [that it does not impart susceptibility to uncleanness; Y. Ter. 10:8].
- **10:10** A All [kinds of unconsecrated produce] which are pickled together [with heave offering remain] permitted [for consumption by non-priests],
  - B except [for unconsecrated produce pickled] with leeks [in the status of heave offering].
  - C (1) Unconsecrated leeks [which are pickled] with leeks in the status of heave offering,
  - D [or] (2) unconsecrated vegetables [which are pickled] with leeks in the status of heave offering
  - E are forbidden [for consumption by non-priests].
  - F But unconsecrated leeks [which are pickled] with vegetables in the status of heave offering are permitted [for consumption by non-priests].
- **10:11** A R. Yose says, "All [kinds of unconsecrated produce] which are boiled with beets [in the status of heave offering] are forbidden [for consumption by non-priests],
  - B "since they [beets] impart flavor [to that with which they are cooked]."
  - C R. Simeon says, "[Unconsecrated] cabbage from an irrigated field [which is boiled] with cabbage [in the status of heave offering] from a rain-watered field is forbidden [for consumption by non-priests],
  - D "since it [the cabbage from the irrigated field] absorbs [the flavor of the other cabbage."
  - E R. Aqiba says, "All [kinds of permitted food] which are cooked together [with forbidden food] are permitted [for consumption],
  - F "except [for that which is cooked] with [forbidden] meat."
  - G R. Yohanan b. Nuri says, "Liver renders [other food] forbidden, but itself is not rendered forbidden,
  - H "for it imparts [flavor] but does not absorb [flavor]."

- **10:12** A [As regards] an egg which was spiced with forbidden spices [e.g., spices in the status of heave offering]—
  - B even its yolk is forbidden [for consumption].
  - C since it (the yolk] absorbs [the flavor of the spices].
  - D Liquid in which heave offering has been boiled or pickled is forbidden to non-priests.
- **11:1** I A They may not put cakes of pressed figs or dried figs [in the status of heave offering] in fish brine [in order to flavor that brine],
  - B since this ruins them [the figs, for use as food].
  - C But they may put wine [in the status of heave offering] in brine.
  - II D And they may not perfume oil [in the status of heave offering, for it may not thereafter be eaten].
    - E But they may make wine [in the status of heave offering] into honeyed wine.
  - III F They may not boil wine in the status of heave offering,
    - G since this diminishes its quantity.
      - H R. Judah permits [one to cook wine],
      - I for this improves it [the flavor of the wine].
- **11:2** A [As regards any of the following which have the status of heave offering:] (1) honey made from dates, (2) wine made from apples, (3) vinegar made from winter grapes or (4) any other fruit juice in the status of heave offering—
  - B R. Eliezer obligates [a non-priest who unintentionally drinks any of these] to [payment of] the principal and [added] fifth.
  - C But R. Joshua exempts.
  - D And R. Eliezer declares (that these things render foods susceptible to] uncleanness, under the law of liquids.
  - E Said R. Joshua, "Sages did not number seven liquids [which render food susceptible to uncleanness] as do those who count spices [imprecisely].
  - F "Rather, they said, 'Seven [kinds of] liquids [render foods susceptible to] uncleanness, but all other liquids are clean [do not render foods susceptible to uncleanness].' "
- **11:3** I A [Regarding produce in the status of heave offering or second tithe:] they may not make (1) dates into honey, nor (2) apples into wine, nor (3) winter grapes into vinegar, nor (4) [as regards] all other fruits may they alter their natural condition if they are in the status of heave offering or second tithe,
  - B except [in the case of] olives and grapes.
  - II C They do not receive the forty stripes for [drinking liquids made from produce which is] from the first three years of growth of a vineyard or orchard (see Lev. 19:23),
    - D except for [drinking] that which is produced from olives or grapes.
  - III E And they may not bring firstfruits in the form of liquids,
  - F except for that which is produced from olives or grapes.
  - IV G And no [fruit juice] imparts [susceptibility to] uncleanness under the law of liquids,H except for that [liquid] which is produced from olives or grapes.
  - V I And they may offer no [liquid] at the altar,
    - J except for that [liquid] which is produced from olives or grapes.

- **11:4** A The stems of [fresh] figs, dried figs, pods and carobs in the status of heave offering are forbidden [for consumption] by non-priests.
- **11:5** A [As regards] the pits of produce in the status of heave offering—
  - B when he [the priest] keeps them, they are forbidden [for consumption by non-priests].
  - C But if he throws them out, they are permitted.
  - D And so [in the case of] the bones of Holy Things [animal offerings]—
  - E when he keeps them, they are forbidden [to non-priests].
  - F But if he throws them out, they are permitted.
  - G Coarse bran [from grain in the status of heave offering] is permitted [for consumption by non-priests].
  - H Fine bran from fresh [wheat in the status of heave offering] is forbidden [to non-priests].
  - I But [fine bran] from old [wheat in the status of heave offering] is permitted.
  - J [The priest] may treat heave offering just as he treats unconsecrated produce [he may throw out the parts he does not normally eat].
  - K One who prepares fine flour [from wheat in the status of heave offering], deriving a *qab* or two from each *seah* [of wheat], may not destroy the residue [which is edible].
  - L Rather, he places it in a concealed place.
- 11:6 A [As regards] a storage bin from which one emptied wheat in the status of heave offering— B they do not obligate him to sit and pick up one at a time each kernel of wheat [which remains on the floor of the bin].
  - C Rather, he may sweep [the bin] in his normal fashion, and [then] may put unconsecrated [wheat in the bin].
- **11:7** A And so [in the case of] a jug of oil [in the status of heave offering] which was spilled—
  - B they do not obligate him to sit and scoop [it] up with his hand.
  - C Rather, he treats it as he treats unconsecrated [oil which spills; i.e., he may wipe it up with a rag, even though the rag will absorb some of the consecrated oil].
- **11:8** A One who pours [wine or oil in the status of heave offering] from one jar to another and [allows] three [last] drops to drip [from the jar he is emptying] may [then] put unconsecrated [wine or oil] in that [jar, without further wiping it out].
  - B If [after three drops had fallen] he placed [the jar] on its side and [more oil or wine] drained [from it]—

lo, this [wine or oil] is in the status of heave offering.

- C And what quantity of heave offering of the tithe [separated] from produce about which there is a doubt whether or not it previously was tithed need one take to the priest?
- D One-eighth of an eighth *log* [1/64 *log;* less than this quantity is deemed insignificant and need not be given to the priest].
- **11:9** A [As regards] vetches in the status of heave offering—
  - B [priests] may feed them to [their] cattle, animals or fowl.
  - C An Israelite who hired a cow from a priest may feed it vetches in the status of heave offering.
  - D But a priest who hired a cow from an Israelite,
  - E even though he is responsible for feeding it,
  - F may not feed it vetches in the status of heave offering.

- G An Israelite who tended the cow of a priest in return for a share in the value of the animal may not feed it vetches in the status of heave offering.
- But a priest who tended the cow of an Israelite in return for a share in its value may feed it Η vetches in the status of heave offering.
- They kindle [unclean] oil [in the status of heave offering] which is fit for burning in (1) 11:10 A synagogues, (2) houses of study, (3) dark alleyways and (4) for sick people
  - in the presence of a priest. В
  - [As regards] the daughter of an Israelite who married a priest but is accustomed to visit her С father-
  - D her father may kindle [oil in the status of heave offering] in her presence.
  - "They kindle [oil in the status of heave offering] in a house in which there is a wedding Ε feast but not in a house of mourning"-the words of R. Judah.
  - R. Yose says, "[They do so] in a house of mourning but not at a wedding feast." F
  - G R. Meir prohibits in either case.
  - Η R. Simeon permits in either case.

## MAASEROT Martin S. Jaffee

- A general principle they stated concerning tithes: 1:1 А В
  - anything which is
    - (1) food,
    - (2) cultivated,
    - (3) and which grows from the earth
    - is subject to [the law of] tithes
  - And yet another general principle they stated: С
  - D anything which at its first [stage of development] is food and which at its ultimate [stage of development] is food [e.g., greens]-
  - even though [the farmer] maintains [its growth] in order to increase the food [it will E vield]-
  - F is subject (to the law of tithes whether it is] small or large [at all points in its development].
  - But anything which at its first [stage of development] is not food, yet which at its ultimate G [stage of development] is food [e.g., the fruit of trees]
  - is not subject [to the laws of tithes] until it becomes food. Η
- 1:2 From what time is fruit subject to [the law of] tithes? А
  - (1) Figs—when they have begun to ripen; В
  - С (2) grapes and (3) wild grapes—when their seeds have become visible inside them;
  - (4) sumac and (5) mulberry—when they have become red; D
  - and (6) all red [berries]—when they have become red; Ε
  - F (7) pomegranates—when they have become soft;
  - (8) dates—when they have begun to swell; G
  - (9) peaches—when they have developed red veins; Η
  - (10) walnuts—when they have developed a chamber. Ι
  - R. Judah says, "Walnuts and almonds—when they develop a husk." J

- **1:3** A (11) Carobs—when they have become speckled;
  - B (12) and all black [produce, e.g., myrtle berries: Y]—when it has become speckled;
  - C (13) pears, and (14) crustumenian pears, and (15) medlar, and (16) crab apples—when they have become smooth;
  - D (17) and all white [produce]—when it has become smooth;
  - E (18) fenugreek—when the seeds [are able to] sprout;
  - F (19) grain and (20) olives—when they reach a third [of their mature growth].
- **1:4** A And among green vegetables—
  - B cucumbers, gourds, chatemelons, and muskmelons.
  - C Apples and citrons
  - D are subject [to the law of tithes whether they are] large or small.
  - E R. Simeon exempts citrons which are immature.
  - F That which is subject [to the law] among bitter almonds [the small ones] is exempt among sweet [almonds].
  - G That which is subject [to the law] among sweet almonds [the large ones] is exempt among bitter [almonds].
- **1:5** A At what point after the harvest must tithes be removed from produce?
  - B (1) Cucumbers and gourds—after he removes the fuzz [from them].
  - C But if he does not remove the fuzz, [tithes need not be removed] until he stacks them up.
  - D (2) Chatemelons—after he scalds [them in order to remove the fuzz].
  - E But if he does not scald [them], [tithes need not be removed] until he makes a store [of melons].
  - F (3) Green vegetables which are [normally] tied in bunches—after he ties [them].
  - G But if he does not tie them, [tithes need not be removed] until the vessel [into which he places the picked greens] is filled.
  - H But if he does not fill the vessel, [tithes need not be removed] until he collects all he needs.
  - I (4) [The contents of] a basket [need not be tithed] until he covers [the basket].
  - J But if he does not cover [it, tithes need not be removed] until he fills the vessel.
  - K But if he does not fill the vessel, [tithes need not be removed] until he collects all he needs [in that basket].
  - L Under what circumstances [do these criteria apply]? If he is bringing the produce to market.
  - M But if he is bringing it home, [it is not liable to the removal of tithes, and] he eats some of it as a random snack until he reaches home.
- **1:6** A (5) Dried split pomegranates, raisins and carobs— after he stacks them up.
  - B (6) Onions—after he strips off [the peels].
  - C But if he does not strip off the peels, [the onions must be tithed] once he stacks them up.
  - D (7) Grain—after he evens [the pile on the threshing floor].
  - E If he does not even [the pile on the threshing floor], [the grain need not be tithed] until he stacks it up [in the bin].
  - F (8) Pulse—after he sifts it.
  - G But if he does not sift it, [it need not be tithed] until he evens [the pile].
  - H Even though he has evened [the pile], he takes [edible kernels] from those which are not properly threshed, from the sides [of the smoothed pile], and from whatever is [left] in the straw,
  - I and eats [without tithing].

- **1:7** A (9) Wine— after he skims [the scum from the fermenting juice in the receiving tank].
  - B Even though he has skimmed, he collects [liquid] from the upper vat [where the grapes are trod] and from the duct [which connects the latter to the receiving tank],
  - C and drinks [without tithing].
  - D (10) Oil—after it has flowed into the trough [from the press].
  - E Even though it has flowed, he takes [oil] from the pressing bale, from the press beam, and from between the boards [of the pressing vat],
  - F and puts (the oil] into a plate or dish.
  - G However, he shall not place [the oil] into a pan or pot
  - H when [their contents] are boiling [unless he tithes].
  - I R. Judah says, "Into anything may one put [oil], except what has vinegar or brine [in it]."
  - J (11) A [fig] cake—after he glazes its surface.
  - K They glaze with [the juice of] figs or grapes which are liable to the removal of tithes [and need not tithe the juice].
  - L R. Judah forbids [the use of untithed juice as a glaze].
  - M One who glazes with [the juice of] grapes—
  - N [that which he glazes] has not been made susceptible to uncleanness.
  - O R. Judah says, "It has been made susceptible to uncleanness."
  - P (12) Dried figs—after he presses [them into a storage jar], and molded figs—after he presses them with a roller.
  - Q [If] he was pressing [them] into a jar or rolling [them] in a mold,
  - R [and] the jar broke or the mold cracked,
  - S he shall not make of them a random snack.
  - T R. Yose permits [him to make a random snack].
- **2:1** A (1) [If] one was passing through the market
  - B and said, "Take figs for yourselves,"
    - C [those who accept them] eat [the figs while they are in the market] and are exempt [from tithing].
    - D Therefore, if they brought [the figs] into their homes
    - E they tithe [them as they would tithe figs which are] certainly untithed [viz., they remove heave offering, first tithe and either second or poor man's tithe in the usual manner].
    - F (2) [If he said,] "Take [the figs] and bring [them] into your homes,"
    - G [those who accept them] shall not make a random snack [of the figs while they are in the market].
    - H Therefore, if they brought [the figs] into their homes
    - I they tithe [them] only [as they would tithe figs which are] doubtfully tithed [viz., they remove only the heave offering of the tithe, and consume the rest of the produce as if it was completely tithed].
- **2:2** A (3) [If] they were sitting in a doorway or stall,
  - B and [the passerby] said, "Take figs for yourselves,"
  - C [those who accept them] eat [the figs in the doorway or stall] and are exempt [from tithing].
  - D But the owner of the doorway or the owner of the stall are required [to tithe].
  - E R. Judah exempts [the owner from tithing]
  - F unless he turns his face (away from the public] or unless he moves from where he is sitting [to a private part of the stall].

- **2:3** A One who transports produce from Galilee to Judea,
  - B or [who] goes up [from a location in Judea] to Jerusalem,
  - C eats of [his untitled produce] until he reaches his destination [at which point he must tithe before eating].
  - D And [this is] also [the case] on the return trip
  - E R. Meir says, "[He eats] until he reaches the place [where he intends to] spend the Sabbath (so Y. Ma. 2:3[49d])."
  - F Peddlers who circulate among [a number of] towns
  - G eat [their untitled produce] until they reach their night's lodging [at which point they must tithe before eating].
  - H R. Judah says, "The first house [he enters] is [considered] his house [even should he lodge elsewhere]."
- 2:4 A Produce from which one separated heave offering before its processing was complete—
  - B R. Eliezer prohibits making a random snack of it [from that moment on].
  - C But Sages permit [a random snack until the processing is complete],
  - D except [in the case of] a basket of figs.
  - E A basket of [unprocessed] figs from which one separated heave offering—
  - F R. Simeon permits [making a random snack of it].
  - G But Sages prohibit [making a random snack of it].
- **2:5** A "One who says to his fellow, 'Take this *issar* and give me five figs for it,'
  - B "shall not eat [the figs] unless he tithes"—the words of R. Meir.
  - C R. Judah says, "[If] he eats [the figs] one by one, he is exempt (from tithing]; but if he gathers [them] together, he is required [to tithe the figs before eating any of them]."
  - D Said R. Judah, *M*<sub>3</sub>*SH B*: There was a rose garden in Jerusalem [where] figs were sold at three or four per *issar*, yet heave offerings and tithes were never removed from [the purchase]."
- **2:6** A One who says to his fellow, "Take this *issar* [in payment] for twenty figs which I shall choose,"
  - B chooses and eats [each fig separately without tithing the batch as a whole].
  - C [One who says, "Take this *issar* in payment] for a cluster of grapes which I shall choose," plucks one grape at a time and eats [each grape without tithing the cluster as a whole].
  - D [One who says, "Take this *issar* in payment] for a pomegranate which I shall choose," splits it into segments and eats [each segment separately without tithing the pomegranate as a whole].
  - E [One who says, "Take this *issar* in payment] for a melon which I shall choose," cuts it into slices and eats [each slice separately without tithing the melon as a whole].
  - F But if he said to him, ["Take this *issar* in payment] for these twenty figs,"
  - G [or] "for these two grape clusters,"
  - H [or] "for these two pomegranates,"
  - I [or] "for these two melons,"
  - J he eats as he pleases and is exempt [from tithing the batch],
  - K for he bought [them while they were still] attached to the ground [viz., before they were picked, when they were exempt from the removal of tithes].
- **2:7** A One who hires a worker to harvest figs for him—

- B (1) [If the worker] said to him, "On condition that I eat figs [as part of my pay],"
- C he eats (figs during the harvest] and is exempt [from tithing them].
- D (2) [If the worker said to him,] "On condition that I and my son eat [figs as part of my pay],"
- E or [if he said, "On condition] that my son shall eat [figs] as [part of] my pay,"
- F he [the worker] eats [figs during the harvest, and is] exempt [from tithing them],
- G while his son eats [figs during the harvest, but is] required [to tithe them].
- H (3) [If the worker said,] "On condition that I eat [figs as part of my pay both] during and after the harvest"—
- I during the harvest he eats and is exempt,
- J while after the harvest he eats but is required [to tithe],
- K for [in the latter case] he [is granted] no eating privileges by the Torah.
- L This is the general principle:
- M One who [is granted] eating privileges by the Torah is exempt [from tithing what he eats], while one who [is granted] no eating privileges by the Torah is required [to tithe what he eats].
- **2:8** A (If] he was working on cooking figs, he shall not eat white figs [without tithing them].
  - B [If he was working on] white figs, he shall not eat cooking figs [without tithing them].
  - C To be sure, he [may] restrain himself [from eating altogether] until he reaches the area [in which] the high-quality [figs] grow, and [then may] eat.
  - D One who exchanges [figs] with his fellow—
  - E [If] his [figs] are for eating and his fellow's are for eating,
  - F [or if] his [figs] are to be dried and his fellow's are to be dried,
  - G he is required [to tithe what he acquires].
  - H R. Judah says, "One who exchanges [his figs for figs] which are for eating is required [to tithe],
  - I "but [if he exchanges his figs for figs] which are to be dried, he is exempt [from tithing until the figs are dried]."
- **3:1** A (1) One who brings figs through his courtyard in order to spread them out for drying—
  - B his sons and his dependents eat them and are exempt [from tithing].
  - C (2) [As for] the workers who are [working] for him—
  - D should they have no [claim] upon him [for their] board, [the responsibility for tithing] rests upon [the employer].
  - E But if they have [a claim] upon him [for their] board, lo, these shall not eat [without first removing tithes].
- **3:2** A (3) One who brings his workers out to the field—
  - B should they have no [claim] upon him [for their] board, they eat and are exempt [from tithing].
  - C But if they have [a claim] upon him [for their] board, they eat one by one from the tree,
  - D but not from the basket, or the bin, or from the pile in which the figs are being dried.
- **3:3** A (4) One who hires a worker to work among olives [but not to harvest them: Y. Ma. 3:3(50c)]—
  - B [if the worker stipulated,] "On condition that I eat olives [as part of my pay]," he eats one by one [from the tree], and is exempt (from tithing].

- C But if he gathered [them] together, he is required [to tithe].
- D (5) [One who hires a worker] to weed among onions—
- E [if the worker] stipulated, "On condition that I eat shoots [as part of my pay]," he plucks a leaf at a time and eats [without tithing].
- F But if he gathers [the leaves] together, he is required [to tithe].
- **3:4** A (1) [If he] found harvested figs in the road—
  - B even [if they were found] beside a field [full of] harvested figs—
  - C and [this] also [holds true for]
  - D a fig tree which overarches the road, and he found figs beneath it—
  - E [the figs] are permitted under the law [which defines] stolen property,
  - F and they are exempt from [the law of] tithes.
  - G But [in similar cases] concerning olives or carobs, they are subject [to the law of tithes].
  - H (2) [If he] found dried figs—
  - I if most people had pressed [their figs by that time],
  - J he is required [to tithe those he found];
  - K and if not [if most people had not pressed their figs],
  - L he is exempt [from tithing those he found].
  - M (3) [If he] found sections of a fig cake,
  - N he is required [to tithe them],
  - O since they obviously come from a finished product.
  - P And [as for] carobs—
  - Q as long as he has not piled them on top of the roof, he brings [some] of them down for the cattle is exempt [from tithing it],
  - R for he returns the surplus.
- **3:5** A What type of courtyard is subject to [the law of] tithes [what kind of courtyard renders liable to tithes produce brought within it]?
  - B R. Ishmael says, "A Tyrian courtyard,
  - C "for household wares are kept [safely] within it."
  - D R. Aqiba says, "Any [courtyard] which one [householder] opens but another locks up is exempt [from the law of tithes]."
  - E R. Nehemiah says, "Any [courtyard] in which a man eats unselfconsciously is subject [to the law of tithes]."
  - F R. Yose says, "Any [courtyard] into which [one] enters and no one inquires, 'What do you want?', is exempt [from the law of tithes]."
  - G R. Judah says, "[If there are] two courtyards, one within the other,
  - H "the inner [courtyard] is subject [to the law],
  - I "while the other [courtyard] is exempt [from the law]."
- **3:6** A Roofs are exempt [from the law of tithes], even though [the houses upon which they are constructed] are situated in a courtyard which is subject [to the law of tithes].
  - B A gatehouse, a portico, or a balcony—
  - C lo, these [share the status] of the courtyard [in which they are situated].
  - D If [the courtyard] is subject [to the law], they are subject [to the law], but if [the courtyard] is exempt, they are exempt.
- **3:7** A Storage huts, watchtowers, and field sheds are exempt [from the law of tithes].

- B A hut [such as those used in the area of] Gennesar,
- C even though it contains millstones and poultry,
- D is exempt [from the law of tithes].
- E A potter's hut—
- F the inner part is subject [to the law]
- G and the outer part is exempt.
- H R. Yose says, "Any [structure] which does not [serve] as [both] a summer dwelling and a winter dwelling is exempt."
- I A festival hut during [the week of] the Festival [of Tabernacles]—
- J R. Judah declares it subject [to the law during that week],
- K but Sages declare it exempt [for that week].
- **3:8** A (1) A fig tree which is standing in a courtyard—
  - B [the householder] eats [the figs] one by one [from the tree], and is exempt [from tithing].
  - C But if he gathers [figs] together [before eating], he is required [to tithe them].
  - D R. Simeon says, "[If he has] one in his right hand, and one in his left hand, and one in his mouth [he is exempt from tithing]."
  - E [If] he climbed to the top [of the tree], he stuffs his pocket [with figs] and eats [without incurring the obligation to tithe].
- **3:9** A (2) A grapevine which is planted in a courtyard—
  - B "[the householder] takes the entire cluster of grapes [from the vine, and incurs no obligation to tithe].
  - C "And [this is] also [the case] with a pomegranate [picked from a tree growing in a courtyard],
  - D "as well as a melon [picked from a vine growing in a courtyard]"—the words of R. Tarfon.
  - E R. Aqiba says, "[The householder] takes one grape at a time from the cluster [while it is on the vine, and incurs no obligation to tithe],
  - F "or splits a segment from the pomegranate [while it is on the tree],
  - G "or cuts a slice of the melon [while it is on the vine], [but if he takes an entire cluster, and so on, he incurs the obligation to tithe]."
  - H (3) Coriander which is sown in a courtyard—
  - I [the householder] plucks one leaf at a time and eats [without incurring the obligation to tithe].
  - J But if he gathers [the plucked leaves] together, he is required [to tithe them].
  - K Savory, or sweet marjoram or thyme which are [growing] in a courtyard—if they were being cultivated, they are subject [to the law of tithes].
- **3:10** A A fig tree which is standing in a courtyard,
  - B but [one of its boughs] extends into the garden [beyond the courtyard's walls]—
  - C [a person standing in the garden] eats as he pleases [from that bough], and is exempt [from tithing].
  - D [If the tree] is standing in the garden,
  - E but [one of its boughs] extends into a courtyard—
  - F [a person standing in the courtyard] eats one by one [from that bough], and is exempt [from tithing].
  - G But if he gathers [figs] together, he is required [to tithe them].
  - H [A tree] standing in the Land [of Israel] with [its bough] extending outside the Land [of Israel, e.g., in Syria],

- I [or one standing] outside the Land [of Israel] with [its bough] extending into the Land [of Israel]—
- J [the status of] all [fruit on the tree] is governed by [the laws which apply to the place in which] the roots [are located].
- K And concerning [the sale of trees belonging to] houses within walled cities—
- L all [matters regarding the repurchase of such trees by their original owner] are governed by [the laws which apply to] the place in which the roots are located [trees sold with the houses of walled cities may be repurchased along with the houses within twelve months, as long as the trees are rooted inside the wall].
- M And concerning [trees in or near] cities of refuge—
- N all [matters regarding the legitimacy of the tree itself as a place of refuge] are governed by [the laws which apply to the place into which] the bough [extends] [one guilty of involuntary manslaughter finds refuge at the root of the tree even if only the bough extends into the city of refuge].
- O And concerning [trees growing] in Jerusalem [the fruit of which is designated as secondtithe produce]—
- P all [matters concerning the sale of such produce] are governed by [the laws which apply to] the place into which the bough extends [if only the bough extends inside the city, the fruit of the entire tree must be eaten within Jerusalem, and may not be redeemed for coins outside of it: T.M.S. 2:12].
- **4:1** A (1) One who pickles, boils, [or] salts [produce] in the field is required [to tithe].
  - B (2) One who buries [produce] in the ground is exempt [from tithing].
  - C (3) One who seasons [produce] in the field is exempt [from tithing].
  - D (4) One who crushes olives so that the bitterness will exude is exempt [from tithing].
  - E (5) One who squeezes [the oil of] olives onto his body is exempt [from tithing].
  - F If he squeezed [the oil] and placed it in [the palm of] his hand, he is required [to tithe].
  - G (6) One who skims [a ladle of wine for use] in a stew is exempt [from tithing].
  - H [If he poured the ladle of wine] into a pot [and then skimmed the wine], he is required [to tithe],
  - I since it is like a small vat.
- **4:2** A Children who hid [untitled] figs away [intending to eat them on] the Sabbath,
  - B but forgot to tithe them [by Sabbath Eve],
  - C shall not eat [the figs] at the close of the Sabbath unless [the figs] are tithed.
  - D A basket [of untitled produce designated for] the Sabbath—
  - E the House of Shammai declare it exempt [from the removal of tithes; one who snacks on the produce prior to the Sabbath need not tithe].
  - F But the House of Hillel declare it liable [to the removal of tithes; one who snacks on the produce prior to the Sabbath must tithe].
  - G R. Judah says, "Also ('p); one who gathers a basket [of produce] to send to his fellow [for the Sabbath] shall not eat [any of the produce] unless he tithes."
- **4:3** A One who picks olives out of the softening bin
  - B dips [them] one by one in salt, and eats [without tithing].
  - C If he salted [them] and placed [them] before him, he is required [to tithe].
  - D R. Eliezer says, "[If he picked them] from a bin [of olives which were preserved in] cleanness, he is required [to tithe],

- E "but [if he picked them] from [a bin of olives which had been rendered] unclean, he is exempt [from tithing],
- F "because he returns the surplus [to the bin of unclean olives]."
- **4:4** A "One drinks [wine] at the press—
  - B "whether [it is mixed] with hot water or cold water—
  - C "he is exempt [from removing the tithes]"—the words of R. Meir.
  - D R. Eleazar bar Sadoq declares [him] liable [to removing the tithes].
  - E But Sages say, "Concerning [the wine mixed with] hot water, he is liable [to removing the tithes], but concerning [the wine mixed with] cold water, he is exempt [from removing the tithes]."
- **4:5** A One who husks barley removes the husks [from the kernels] one by one, and eats [without tithing].
  - B But if he husked [a few kernels] and placed [them] in his hand, he is required [to tithe].
  - C One who husks parched kernels of wheat sifts [the kernels] from hand to hand, and eats [without tithing].
  - D But if he sifted [the kernels] and placed [them] inside his shirt, he is required [to tithe].
  - E Coriander which [the farmer] sowed [in order to harvest its] seed [for future sowing]—its leaves are exempt [from the removal of tithes if they are eaten].
  - F [If he] sowed it [in order to harvest its] leaves [for use as an herb]—[both] the seeds and the leaves are subject to the law of tithes.
  - G R. Eliezer says, "Dill is subject to the law of tithes [in regard to its] seeds, leaves and pods."
  - H But Sages say, "Nothing is subject to the law of tithes [in regard to both its] seeds and leaves save cress and field rocket alone."
- **4:6** A Rabban Gamaliel says, "Stalks of fenugreek, mustard plants, and fava plants are subject to [the law of] tithes."
  - B R. Eliezer says, "The caper bush is subject to the law of tithes [in regard to its] stalks, berries and blossoms."
  - C R. Aqiba says, "No [part of the caper bush] is subject to the law of tithes except the berries,
  - D "for they are the fruit [the part normally harvested for use as food]."
- **5:1** A (1) One who uproots shoots from his own [field] and transplants [them] within his own [field]
  - B is exempt [from tithing the shoots before replanting them].
  - C (2) [If] he purchased [produce] which [was still] attached to the ground,
  - D [the produce] is exempt [from the law of tithes until the harvest].
  - E (3) [If] he picked [produce] to send to his fellow [prior to the harvest],
  - F [the produce] is exempt [from the removal of tithes until the recipient processes it for his own use].
  - G R. Eleazar b. Azariah says, "If such as these are for sale in the market [at the time the produce is picked],
  - H "lo, these are liable [to the removal of tithes before the donor sends them to his fellow]."
- **5:2** A One who uproots turnips or radishes from his own [field], and replants [them] within his own [field]

- B in order [to harvest] the seeds [for planting],
- C is required (to tithe the produce before transplanting],
- D for this [uprooting] is their harvest.
- E Onions which have taken root in the attic are insusceptible to uncleanness.
- F [But if] debris [from fallen beams] collapsed about them, and they were exposed [to the sky],
- G lo, these are deemed planted in the field [and are therefore subject to the law of tithes].
- **5:3** A [A man] shall not sell [a field inclusive of] his produce which has reached the period of its tithing to one who is untrustworthy concerning [the removal] of tithes [an *Am haares*].
  - B And [he shall] not [sell a field of produce] in the Seventh Year to one who is suspected of [violating laws regarding the consumption or sale of] Seventh-Year [produce].
  - C But if [some produce] ripens [prior to the rest of the crop], he takes the ripe [produce for his own use] and sells the rest [to whomever he wishes as long as it remains unripened].
- **5:4** A man shall not sell his straw, olive peat, or grape pulp to one who is untrustworthy concerning [the removal of] tithes,
  - B [if the purchaser intends] to extract the [potable] liquid [remaining in the olive peat or grape pulp].
  - C And if [prior to the sale the householder] extracts [edible produce from the above waste products, the extract] is liable to [the removal of] tithes but is exempt from [the separation of] heave offering.
  - D For one who separates heave offering has in mind [the edible produce found among] that which is improperly threshed, and that [found] along the edges [of the pile], and that which is [found] in the straw.
- 5:5 A One who purchases a field of greens in Syria—
  - B if [he purchased it] before [the produce] reached its period of tithing, [he] is required [to tithe the entire harvest],
  - C but [if he purchased the field] after [the produce] reached its period of tithing, he is exempt [from tithing the entire harvest].
  - D And he gathers [late-ripening produce] as he pleases.
  - E R. Judah says, "Also: let him hire workers to pick [the produce for him]."
  - F Said R. Simeon b. Gamaliel, "Under what circumstances [must he tithe produce of a Syrian field which he purchased prior to the crop's period of tithing]? When he acquired the land [along with the produce].
  - G "But when he did not acquire the land—
  - H "if [he purchased the produce even] before it reached its period of tithing, he is exempt [from tithing the harvest]—,'
  - I R. Meir says, "Also: [if he purchased the field after most of the produce reached its tithing season, he tithes] according to the percentage [which ripens after his purchase]."
- **5:6** A One who steeps grape pulp in water [to form a beverage],
  - B and added a fixed measure of water,
  - C and [then] found the same measure [of liquid in the tub after pressing the water from the pulp]—
  - D [the liquid] is exempt [from the removal of tithes].
  - E R. Judah declares [the liquid] liable.

- F [If] he found more [liquid] than the measure [of water he originally poured over the pulp],
- G he removes [tithes] on behalf of [the beverage] from another batch
- H according to the percentage [of the liquid which exceeds the original quantity of water].
- **5:7** A Anthills which remained overnight beside a stack [of grain] from which tithes had yet to be removed—
  - B lo, these [kernels found in the anthills] are liable [to the removal of tithes],
  - C for clearly [the ants] have been dragging [grain] from a processed batch all night long.
- **5:8** A Baalbekian garlic, onions of Rakhpa, Cilician split beans, and Egyptian lentils—
  - B R. Meir says, "Also: *qirqas* [an unidentified plant]."
  - C R. Yose says, "Also: *qotnym* [an unidentified plant]."
  - D are exempt from [the law of] tithes, and are purchased from anyone in the Seventh Year.
  - E The seeds of the higher pods of arum, the seeds of leeks, the seeds of onions, the seeds of turnips or radishes,
  - F and all other garden seeds which are not eaten,
  - G are exempt from [the law of] tithes, and are purchased from anyone in the Seventh Year.
  - H For even though the plants from which they were gathered (lit.: "their fathers") [were designated as] heave offering, lo, these [seeds] may be eaten [even by non-priests, for they are not considered food].

### MAASER SHENI Peter Haas

- **1:1** A [As to produce in the status of] second tithe—
  - B (1) They do not sell it, (2) and they do not take it as a pledge, and (3) they do not give it in exchange [for other produce to be eaten as second tithe].
  - C And they do not reckon weight with it.
  - D And in Jerusalem, a man may not say to his friend: "Here is wine for you, now give me oil."
  - E And [this rule applies] likewise to all other [consecrated] produce.
  - F But they give [it] to each other as a gift.
- **1:2** A [As to] the tithe of cattle:
  - B (1) the [farmers] do not sell it [when the animal is] unblemished [and] alive;
    - (2) and not [when the animal is] blemished, [whether it is] alive or slaughtered.
  - C (3) And they do not give it as a token of betrothal to women.
  - D [As to] the firstling [the first calves of the year's herd]:
  - E (1) they [the priests] sell it [when the animal is] unblemished [and] alive;
    - (2) and [when the animal is] blemished, [whether it is] alive or slaughtered.
  - F (3) And they give it as a token of betrothal to women.
  - G They do not deconsecrate [produce in the status of] second tithe with (1) a poorly minted coin nor with (2) coin that is not [currently] circulating, nor with (3) money that is not in one's possession.

- **1:3** A (1) One who purchases [in Jerusalem] a domesticated animal [with money in the status of second tithe] for [use as] a peace offering, or a wild animal for [use as] ordinary meat,
  - B the hide is deemed to be unconsecrated
  - C even though [the value of] the hide exceeds [the value of] the meat.
  - D (2) Sealed jugs of wine [which are purchased in Jerusalem with consecrated money]—
  - E in a place where they are normally sold sealed,
  - F the jar is deemed to be unconsecrated.
  - G Nuts and almonds [which are purchased in Jerusalem with consecrated money]—their shells are deemed to be unconsecrated.
  - H Wine made from grape skins and stalks—until it has fermented, it is not bought with money [in the status of second] tithe.
  - I After it has fermented, it is bought with money [in the status of second] tithe.
- **1:4** A (1) One who purchases [in Jerusalem] a wild animal [with money in the status of second tithe] for [use as] a peace offering, a domesticated animal for [use as] ordinary meat,
  - B the hide is not deemed to be unconsecrated [it is in the status of second tithe and must be resold].
  - C (2) Open or sealed jugs of wine [which are purchased in Jerusalem with consecrated money]—
  - D [in] a place where they are normally sold open,
  - E the jar is not deemed to be unconsecrated.
  - F Baskets of olives and baskets of grapes with their container [purchased with consecrated money]—

the value of the container is not deemed to be unconsecrated.

- **1:5** A One who buys [with money in the status of second tithe] (1) water, or (2) salt, or (3) pieces of fruit attached to the ground,
  - B or pieces of fruit which cannot reach Jerusalem,
  - C has not acquired [the status of second] tithe [for these items].
  - D One who buys [outside Jerusalem with money in the status of second tithe] pieces of fruit:
     (1) unintentionally [not realizing the coins were consecrated]—
     let their payment be returned to its [former] place [to the purchaser who bought them by
    - mistake];
      (2) on purpose—

let [the pieces of fruit] be brought up and eaten in the [holy] place [Jerusalem].

- E And if the Temple does not exist, let [the pieces of fruit] rot.
- **1:6** A One who buys [outside Jerusalem] a domesticated animal [with money in the status of second tithe]:

(1) intentionally—

let its payment return to its [former] place;

(2) on purpose—

let [the animal] be brought up and eaten in the [holy] place.

- B And if the Temple does not exist, let it be buried with its hide.
- **1:7** A They do not purchase (1) male slaves, or (2) female slaves, or (3) real estate

- B (4) or an unclean animal,
- C with second-tithe funds.
- D And if he purchased [one of the above], let him consume in its stead [its same value in other produce].
- E They do not purchase (5) the sacrificial birds of *Zabim*, nor (6) the sacrificial birds of *Zabot*, nor (7) the sacrificial birds of women who are unclean after childbirth,
- F (8) or sin offerings, (9) or guilt offerings
- G with second-tithe funds.
- H And if he purchased [one of the above], let him consume in its stead [its same value in other produce].
- I This is the general rule: Anything that is not suitable for eating, drinking, or anointing which is [purchased] with money [in the status of] second tithe, let him consume in its stead [its same value in other produce].
- **2:1** A Second tithe is permitted for eating and drinking and anointing;
  - B for eating that which is normally used for eating,
  - C for anointing with that which is normally used for anointing.
  - D One may not anoint with wine or vinegar.
  - E But he anoints with oil.
  - F They do not spice oil [in the status of second tithe which has been purchased as a food]
  - G nor do they buy spiced oil with money [in the status of] second tithe [for use as a food].
  - H But he spices wine [in the status of second tithe].
  - I [If unconsecrated] honey or spices fell into [consecrated wine] and increased [its value],
  - J the increase is [divided] proportionately [between the wine and the honey or spices].
  - K Fish which were cooked with leeks [in the status of] second tithe, and [the leeks] increased [the fish's value]—
  - L the increase is [divided] proportionately.
  - M Dough [in the status of] second tithe which he baked and increased [its value]—
  - N the increase is [accounted entirely] to the [dough designated as] second [tithe].
  - O This is the general rule: Any [ingredient] whose benefit [to the mixture] is perceptible—the increase [in value] is [divided] proportionately.
  - P And any [ingredient] whose benefit [to the mixture] is not perceptible—the increase [in value] is [accounted] to the second [tithe].
- **2:2** A R. Simeon says, "They do not anoint in Jerusalem with oil designated as second tithe."
  - B But the sages permit [them to anoint with oil declared second tithe].
  - C [Sages] said to R. Simeon, "If [the ruling] is lenient in regards to heave offering, which is subject to a more stringent rule [by allowing priests to anoint with it], should we not rule leniently for second tithe, which is subject to a less stringent rule [and allow the farmer to anoint with it]?"
  - D [R. Simeon] said to them, "No, if [the ruling] is lenient in regards to heave offering, which is subject to a more stringent rule, in a situation where it was lenient in regards to vetches and fenugreek, should we be lenient in regards to second tithe in a situation where (the law] was not lenient in regards to vetches and fenugreek?"
- **2:3** A Fenugreek which is [in the status of] second tithe must be eaten [when] sprouting [and is preserved in cleanness].
  - B And [fenugreek which is declared] heave offering—

- C the House of Shammai say, "Anything done with it is [done] in [a state] of cleanness, except for shampooing with it."
- D And the House of Hillel say, "Anything done with it is [done] in [a state of] uncleanness, except for soaking it."
- **2:4** A Vetches which are [in the status of] second tithe must be eaten [when] sprouting.
  - B But they enter Jerusalem and come out [once they have been brought into Jerusalem they may be taken out again].
  - C [If] they become unclean—
  - D R. Tarfon says, "Let them be divided up among [pieces of] dough,"
  - E and sages say, "Let them be deconsecrated."
  - F And [as for vetches which are declared] heave offering—
  - G the House of Shammai say, "They soak and crush [them] in [a state of] cleanness, and they feed [them to cattle] in [a state of] uncleanness,"
  - H and the House of Hillel say, "They soak [them] in [a state of] cleanness and crush [them] and feed [them to cattle] in [a state of] uncleanness."
  - I Shammai says, "Let them be eaten dry."
  - J Rabbi Aqiba says, "Anything done with them is [done] in [a state of] uncleanness."
- **2:5** A Unconsecrated coins and coins [designated as] second tithe which [were mixed together] and [then] were scattered—
  - B whatever he collects is collected as second tithe until he has restored [the value of the lost second tithe],
  - C and the remainder [of what he collects] is unconsecrated.
  - D If he mingled [consecrated and unconsecrated coins together] and scooped them up [by the handful]—
  - E [he deems what he has in each handful to be consecrated or unconsecrated] by proportion.
  - F This is the rule: Those [items] which are collected [one by one] [are accounted first] as second tithe. Those [items] which are intermingled [and scooped up in bunches are deemed to be consecrated or unconsecrated] by proportion.
- **2:6** A A *sela* which is second tithe and an unconsecrated [*sela*] which were confused [such that the consecrated coin could not be identified]—
  - B he brings a *selar*'s worth of [copper] coins and says,
  - C "The *sela* which is second tithe, wherever it may be, is deconsecrated with these coins."
  - D And [after consecrating the copper coins] he selects the finer [coin] between [the two *selas*]
  - E and deconsecrates [the copper coins] with it.
  - F For they ruled, "They deconsecrate silver with copper [only] out of necessity. But [if they do deconsecrate silver with copper] it may not remain so, but they must immediately deconsecrate [the copper coins] with silver [coins]."
- **2:7** A The House of Shammai say, "One should not convert his [silver] *selas* [consecrated as second tithe] into gold *dinars*."
  - B And the House of Hillel permits [converting silver coins for gold coins].
  - C Said R. Aqiba, "I exchanged silver [coins] for gold *dinars* for Rabban Gamaliel and R. Joshua."

- **2:8** A One who exchanges for a [silver] *sela* coins [sanctified as] second tithe—
  - B the House of Shammai say, "The whole *sela*['s worth of coins to be given in exchange] [must consist] of [copper] coins."
  - C And the House of Hillel say, "[The *sela's* worth of coins to be given in exchange may consist] of one *shekel* [= half *sela*] of silver [coins] and one *shekel* of [copper] coins."
  - D R. Meir says, "They do not deconsecrate silver and produce with silver."
  - E But the sages permit [the deconsecration of silver and produce with silver].
- **2:9** A One who exchanges a [silver] *sela* [sanctified as] second tithe [for other coins] in Jerusalem—
  - B The House of Shammai say, "The whole *sela* [he receives must consist] of [copper] coins."
  - C And the House of Hillel say, "[The *sela* he receives may consist] of one *shekel* of silver [coins] and one *shekel* of [copper] coins."
  - D The disputants before the sages say, "The *sela* may consist] of three silver *dinars* and [one] *dinar* of [copper] coins."
  - E R. Aqiba says, "[The *sela* may consist] of three silver *dinars* and a quarter [of the fourth *dinar* must consist of] [copper] coins."
  - F R. Tarfon says, "[The fourth *dinar* may consist of] four *aspers* of silver [equal to fourfifths of the *dinar*'s value and the remaining *asper* must be of copper]."
  - G Shammai says, "Let him deposit it in a shop and consume its value [in produce]."
- **2:10** A One who has some dependents [in a state of] uncleanness and some [dependents in a state of] cleanness
  - B lays down a [consecrated] *sela* and says,
  - C "Whatever the clean [dependents] drink, this *sela* is deconsecrated with it."
  - D It turns out that the clean [dependents] and the unclean [dependents] [may] drink from [the liquid contained in] the same jar.
- **3:1** A A man may not say to his friend,
  - B "Take this produce [in the status of second tithe] up to Jerusalem [in order] to divide [it between us]."
  - C But he says to him [to the friend],
  - D "Take this [produce] up [to Jerusalem] so that we may eat of it and drink of it [together] in Jerusalem."
  - E Truly they give [produce] to one another as a gift.
- **3:2** A They do not purchase [produce in the status of] heave offering with money [consecrated as] second tithe,
  - B because it [the status of heave offering] limits [the possibility of] its being used as a food [since it can only be eaten by priests].
  - C But R. Simeon permits [the purchase of produce in the status of heave offering with money consecrated as second tithe].
  - D Said to them R. Simeon, "If [the ruling] is lenient in regards to peace offerings, which may be deemed to [be impermissible for consumption under] the laws of refuse, remnant and uncleanness, should we not rule leniently in regards to heave offering [which is not governed by these laws]?"

- E They said to him [R. Simeon], "If [the ruling] is lenient in regards to peace offerings, which are permitted for non-priests [to eat], should we rule leniently for heave offering which is forbidden for non-priests [to eat]?"
- **3:3** A One who has coins [in the status of second tithe] in Jerusalem,
  - B and needs them [for secular purposes],
  - C and his friend has [unconsecrated] produce [in Jerusalem],
  - D says to his friend,
  - E "Lo, these coins are deconsecrated with your produce."
  - F In consequence, this one [the friend] must eat his produce in [a state of] cleanness [because it is now in the status of second tithe],
  - G but that one [the farmer] may use his coins for his needs [since they are no longer in the status of second tithe].
  - H But he may not say this to an *Am haares*, unless [the coins were] of doubtful status.
- **3:4** A [One who has] [unconsecrated] produce in Jerusalem and coins [in the status of second tithe] in the provinces says,
  - B "Lo, those coins are deconsecrated with this produce."
  - C [One who has] coins [in the status of second tithe] in Jerusalem and [unconsecrated] produce in the provinces says,
  - D "Lo, these coins are deconsecrated with that produce,"
  - E provided that the produce is [subsequently] brought up to Jerusalem and eaten [there as second tithe].
- **3:5** A Coins [in the status of second tithe] enter Jerusalem and go out [after they have been brought into Jerusalem they may be taken out again],
  - B but produce [which is in the status of second tithe] enters Jerusalem and does not go out [it must remain in the city until it is consumed].
  - C Rabban Simeon b. Gamaliel says, "Also: produce [in the status of second tithe] enters Jerusalem and goes out [again]."
- **3:6** A [Untitled] produce, the processing [for use as food] of which is completed and which passed through Jerusalem—
  - B [let produce separated from it as] second tithe be returned and eaten in Jerusalem.
  - C [And as for produce] whose processing is not completed [and which passes through Jerusalem],
  - D such as grapes [being brought] to the winepress or baskets of figs [being taken] to a drying place—
  - E the House of Shammai say, "[Let produce separated from it as] second tithe be returned and eaten in Jerusalem."
  - F And the House of Hillel say, "Let it be redeemed and [then] eaten in any place."
  - G R. Simeon b. Judah says in the name of R. Yose, "The House of Shammai and the House of Hillel did not disagree concerning produce the processing of which was not completed, that [produce separated from it as] second tithe may be redeemed and [then] eaten anywhere.
  - H "About what did they disagree?
  - I "About produce the processing of which was complete.

- J "For the House of Shammai say, 'Let [produce separated from it as] second tithe be eaten in Jerusalem' [= M. 3:5B].
- K "And the House of Hillel say, 'Let it be redeemed and eaten in any place.' " [= M. 3:5C].
- L And [produce separated as second tithe from] doubtfully tithed produce enters Jerusalem and comes out, and is [afterwards] redeemed.
- **3:7** A A tree which is standing inside [Jerusalem] and [a bough of which] extends outside [the city],
  - B or [which] is standing outside and [a bough of which] extends inside [Jerusalem]—
  - C that which is above [the center of] the wall and inwards is [deemed to be] within [Jerusalem] [and that which is over the center of] the wall and outward is [deemed to be] outside.
  - D Buildings containing olive presses, the entrances of which are inside [Jerusalem] and the contained spaces of which are outside,
  - E or the entrances of which are outside and the contained spaces of which are inside—
  - F the House of Shammai say, "It is all [deemed to be] inside,"
  - G and the House of Hillel say, "That which is opposite [the center of] the wall and inward is [deemed to be] within [and that which is opposite the center of] the wall and outward is [deemed to be] outside."
- **3:8** A The [Temple] chambers built in the holy [precinct] and open to the unsanctified [area]—
  - B their inner space is [deemed to be] unsanctified and their roofs are [deemed to be] sanctified.
  - C [Those] built in the unsanctified [area] and open to the sanctified [precinct]—
  - D their inner space is [deemed to be] sanctified and their roofs are [deemed to be] unsanctified.
  - E [Those] built [partly] in the holy [precinct] and [partly] in the unsanctified [area] and open to [both] the sanctified [precinct] and the unsanctified [area]—
  - F [as for] their inner spaces and their roofs—
  - G [that part which is] in the sanctified [precinct] and inward is [deemed to be] sanctified [and that part which is] in the unsanctified [area] and outward is [deemed to be] unsanctified.
- **3:9** A [Produce in the status of] second tithe which entered Jerusalem and was rendered unclean,
  - B whether it was rendered unclean by a Father of uncleanness or whether it was rendered unclean by an Offspring of uncleanness,
    - C whether [it was rendered unclean] inside [Jerusalem] or outside [Jerusalem]—
    - D the House of Shammai say, "Let it all be redeemed and eaten inside [Jerusalem],
    - E "except for that which was rendered unclean by a Father of uncleanness outside [Jerusalem], [which must be taken out]."
    - F And the House of Hillel say, "Let it all be redeemed and eaten outside [of Jerusalem],
    - G "except for that which was rendered unclean by an Offspring of uncleanness inside [of Jerusalem], [which may remain in the city]."
- **3:10** A [Produce] purchased with coins [in the status] of second tithe, which becomes unclean [and therefore may not be eaten as second tithe]—
  - B let it be redeemed.
  - C R. Judah says, "Let it be buried."

- D [The authorities of A-B] said to R. Judah, "If [it is the case that when produce which is designated as] second tithe itself becomes unclean, lo, it must be redeemed, is it not logical that produce purchased with coins [in the status of] second tithe which becomes unclean [also] should be redeemed?"
- E He said to them, "No! If you say this in regard to [produce designated as] second tithe itself, which, if in [a state of] cleanness, may be redeemed when it is outside [Jerusalem], can you say so as regards produce purchased with coins [in the status of] second tithe which, when it is [in a state of] cleanness, may not be redeemed when outside [Jerusalem]?"
- **3:11** A A deer which one purchased with money [in the status of] second tithe and which died,
  - B is to be buried with its hide.
  - C R. Simeon says, "It is to be redeemed."
  - D [If] one purchased it alive and slaughtered it, and it [subsequently] became unclean,
  - E it is to be redeemed.
  - F R. Yose says, "It is to be buried."
  - G [If] one bought it [when it was already] slaughtered, and it [subsequently] became unclean—
  - H behold, it is [treated] like produce [in the status of second tithe which becomes unclean and is redeemed].
- **3:12** A He who]ends out jugs [to hold wine to be sold as] second tithe,
  - B even if he corked them [the jugs]
  - C [he] does not acquire [the status of] second tithe for the jugs.
  - D If he poured [wine] into the jugs without specifying [that the jugs were not being sold but only lent]—
  - E before he corked them [he] does not acquire [the status of second] tithe [for the jugs].
  - F After he corked them, [he] does acquire [the status of second] tithe [for the jugs].
  - G Before he corked them, [consecrated liquids contained in them] are neutralized [in a mixture of] one hundred and one [parts of unconsecrated liquid].
  - H After he corked them, the jugs render consecrated any number [of corked jars containing unconsecrated wine with which they become mixed].
  - I Before he corked them, he may remove heave offering from one jug for all [the jugs in the heap].
  - J After he corked them, he removes heave offering from each jug [individually].
- **3:13** A The House of Shammai say, "[If a wine merchant does not want a corked jug to be purchased along with the wine it contains], he opens [the jug] and pours [the wine] into the vat."
  - B And the House of Hillel say, "[The merchant] opens the jug, but he does not need to pour [the wine back into the vat]
  - C To which [case] does this apply?
  - D In a place where [jugs] are normally sold sealed.
  - E But in a place where they are normally sold open, the jug does not [remain] unconsecrated [it is purchased along with the wine; = M. 1:4D-E].
  - F But if he [the merchant] wanted to impose a stringency upon himself and sell [the wine] only by [exact] measure—
  - G the jug [remains] unconsecrated.

- H R. Simeon says, "Also: he who says to his friend, 'I sell to you this cask [of wine] except for its container'—
- I "the jug [remains] unconsecrated."
- **4:1** A One who carries produce [in the status of] second tithe from a place [where it is] expensive to a place [where it is] cheap,
  - B or from a place [where it is] cheap to a place [where it is] expensive,
  - C redeems it according to the market price of his [current] location.
  - D One who brings produce [in the status of second tithe] from the threshing floor to the city,
  - E or jugs of wine from the vat to the city—
  - F the increase in value [accrues to the] second [tithe]
  - G and the expenses [involved in transporting the produce] come out of the farmer's pocket.
- **4:2** A They redeem [produce in the status of] second tithe according to its lowest selling price: B [the rate] at which the shopkeeper buys and not [the rate] at which he sells:
  - C [the rate] at which the money changer sells [small change] and not [the rate] at which he buys [small change].
  - D And they do not redeem [produce in the status of] second tithe by estimating [its worth].
  - E [Produce] the price of which is known is redeemed according to the [valuation of] one [buyer: so T. 3:5],
  - F and [an item] the price of which is not known is redeemed according to [the valuation of] three [buyers],
  - G For example: wine which has formed a film or produce which has begun to rot or coins which are rusty.
- **4:3** A [If] the householder says, "[This produce is worth] a *sela*," and someone else says, "A *sela*," the householder['s bid] has priority, since he adds an extra fifth [of the selling price to what he must pay].
  - B [If] the householder says, "A *sela*," and someone else says, "A *sela* and an *issar*," [the bid] of a *sela* and an *issar* has priority, since it increases the principal [the original purchase price].
  - C One who redeems his own [produce in the status of] second tithe adds a fifth [of its selling price],
  - D whether [the produce] was [originally his own] or whether it was given to him as a gift.
- **4:4** A They circumvent [the law of] second tithe [so as to avoid paying the added fifth]. B How so?
  - C One says to his adult son or daughter [or] to his Hebrew servant or handmaid,
  - D "Take these coins and redeem [with them] this [produce in the status of second tithe [without paying the added fifth]."
  - E However, let him not say this to his minor son or daughter, to his Canaanite servant or handmaid,
  - F for their deed is considered to be his deed.
- **4:5** A [If] he was standing at the threshing floor and had no coins with him, he says to his fellow, "Lo, this produce is given to you as a gift," and then immediately says, "Lo, it is deconsecrated with coins that are at home."

- **4:6** A [If a purchaser] took possession from him [a farmer] [of produce in the status of second] tithe [which is worth] a *sela*,
  - B and did not have time to redeem it [pay for it] before [the price] went up to two [selas],
  - C he pays him [the farmer] one *sela*,
  - D and earns a profit [on the produce he receives] of one *sela*,
  - E and [one *sela's* worth of produce he acquires is] his [in the status of] second tithe.
  - F [If a purchaser] took possession from him [a farmer] of [produce in the status of second] tithe [which at the time of acquisition is worth] two *selas*,
  - G and did not have time to redeem it before [the price] went down to one *sela*,
  - H he pays him one *sela* in unconsecrated coin and one *sela* in [one of] his own coins [in the status of] second tithe.
  - I If he [the farmer] was an *Am haares*, he [the purchaser] gives him [coins in the status of] doubtful [second tithe].
- **4:7** A One who redeems [buys produce in the status of] second tithe but does not make a declaration [that he is redeeming the produce]—
  - B R. Yose says, "It is sufficient for him [simply to pay for the produce without making a declaration]."
  - C R. Judah says, "He must make it explicit."
  - D [If] he was speaking to his wife about matters relevant to her divorce contract or her bride price and did not make it explicit—
  - E R. Yose says, "It is sufficient for him [simply to give her the contract or bride price without a declaration]."
  - F R. Judah says, "He must make it explicit."
- **4:8** A One who sets aside an *issar* [in the status of second tithe and takes it to Jerusalem] and ate [as second-tithe produce purchased] against half of its value,
  - B and [then] went to another area [in Jerusalem] and lo, [an *issar*] is worth *a pondion* [twice its previous value so that the money remaining is worth a full *issar* of produce]—
  - C [he] eats [against its value as second-tithe produce worth] another *issar*.
  - D One who sets aside a *pondion* [in the status of second tithe] and ate [as second-tithe produce purchased] with half of its value,
  - E and [then] went to another area and, lo, [a *pondion*] is worth an *issar* [that is, half of its previous value so that the money remaining is worth only a quarter of a *pondion* or half an *issar*]—
  - F [he] eats [against its value as second-tithe produce worth] another half [issar].
  - G One who sets aside an *issar* [in the status of second tithe] eats against its account [in Jerusalem an amount such that no more than] one-eleventh of an *issarr's* value [remains if it is of doubtful status], or so that no more than one-hundredth of the *issarr's* worth [remains if it is surely in the status of second tithe].
  - H The House of Shammai say, "[In] all [cases, whether the coin is doubtfully in the status of second tithe or certainly in that status, the farmer eats against its account an amount such that no more than] one-tenth [of an *issar*'s value remains]."
  - I And the House of Hillel say, "[If the *issar* is] certainly [in the status of second tithe, no more than] one-eleventh [of its value may remain] and [if it is] doubtfully [in the status of second tithe, no more than] one-tenth [of its value may remain]."
- **4:9** A All coins that are found [and the status of which are unknown],
  - B lo, these [are deemed to be] unconsecrated [not in the status of second tithe],

- С even if [one finds] gold *dinars* [mixed in] with silver and with [copper] coins [and suspects that this collection was set aside for a special purpose].
- [If] he found among them [in a batch of coins] a potsherd upon which was inscribed [the D word] "tithe,"
- E lo, this [batch of coins] is [in the status of second] tithe.
- 4:10 One who finds a vessel upon which is inscribed [the word] "offering"-Α
  - R. Judah says, "If [the vessel is made] of clay, it [the vessel] is unconsecrated, but what is В in it is [in the status of] an offering.
  - "If [the vessel is made] of metal, it is an offering, but what is in it is unconsecrated." С
  - D They said to him, "It is not usual for people to put unconsecrated goods into [a container which is in the status of] an offering."
- 4:11 One who finds a vessel upon which is inscribed (the letter] Α (1) "qof," [the produce it contains is in the status of] an offering, (2) "mem," [the produce it contains is in the status of first] tithe, (3) "dalet," [the produce it contains is] doubtfully tithed, (4) "tet," [the produce it contains is] certainly untitled, (5) "taw," [the produce it contains is in the status of] heave offering, for in the time of danger they wrote [only the letter] "taw" instead of [writing out the full В word] "trwmh" (heave offering). R. Yose says, "All [of the letters stand for] the names of individuals [and therefore are not С taken to denote the status of produce in the vessel]." Said R. Yose, "Even if one found a cask full of produce and on [the cask] was inscribed D [the word] 'heave offering,' lo, the [pieces of fruit in it] are unconsecrated. "For I say that last year it was filled with produce [in the status of] heave offering, but E [subsequently] it was emptied [and refilled with other produce]." 4:12
  - One who says to his son, "[Coins in the status of] second tithe are in this corner," А
    - but [the son] found [coins] in a different corner-В
    - С lo, these [coins he finds] are deemed unconsecrated.
    - D [If] there was there [in the corner specified by the farmer] a maneh [in the status of second tithe].
    - but he [later] found [there] two hundred [zuz; two manehs]-Ε
    - the extra [one *maneh*'s worth of coins] is [deemed] unconsecrated. F
    - G [If there were there] two hundred [*zuz* in the status of second tithe],
    - Η but he found [there only one] *maneh* [one hundred *zuz*]—
    - it is all [deemed to be in the status of second] tithe. Ι
- 5:1 (1) [As regards] a vineyard in its fourth year [of growth]-А
  - В they mark it off with clods of earth.
  - С (2) And [a vineyard] in its first three years of growth [they mark off] with clay.
  - (3) And [an area] of graves [they mark off] with lime D
  - which they dissolve in water and pour out [along the boundary]. Ε
  - F Said Rabban Simeon b. Gamaliel, "To what [case] does this apply?
  - "During the Sabbatical year. G
  - "And those who are conscientious set aside coins and say, 'Let whatever is plucked [from Η this vineyard which is in its fourth year] be deconsecrated with these coins."

- **5:2** A [Produce of] a vineyard in its fourth year [of growth] was brought to Jerusalem [if it was grown] within one day's [journey of the city] in any direction [such produce could not be sold and the coins brought in its stead].
  - B And what is the extent [of a day's journey from Jerusalem]?
  - C Elat to the south, Aqrabah to the north, Lod to the west and the Jordan [River] to the east.
  - D But when produce became [too] abundant, they ordained that [the produce] should be redeemed [sold] [even if it grew] a short distance from the city wall [of Jerusalem, and the farmer would bring coins into the city instead of produce].
  - E But there was a stipulation that whenever they wanted [to reverse their decision] the law would revert to its original form.
  - F R. Yose says, "When the Temple was destroyed, this stipulation (D) was made.
  - G "And there was a [further] stipulation, that whenever the Sanctuary would be rebuilt, the law would revert to its original form."
- 5:3 A [As regards] a vineyard in its fourth year of growth—
  - B the House of Shammai say, "[The law of] the added fifth does not apply, and [the law of] removal does not apply."
  - C And the House of Hillel say, "[The laws of the added fifth and of removal] do apply."
  - D The House of Shammai say, "[The laws requiring leaving] single grapes [for the poor] apply, and [the law requiring leaving] defective grape clusters [for the poor] apply.
  - E "And the poor [who gather such grapes] redeem them themselves [by transferring the consecrated status of the grapes to coin]."
  - F And the House of Hillel say, "[The owner of the vineyard must himself bring] all [of the grapes grown in the fourth year] to the winepress [the laws of single and defective grapes do not apply]."
- **5:4** A How do they redeem [sell] [produce from a] planting's fourth year of growth?
  - B (1) He sets the basket [of produce] in front of three [potential buyers] and says, "How many [baskets of such produce as yet unharvested and still in the field] is one willing to redeem for a *sela*, on condition that [the purchaser] pay the expenses [of harvesting the produce] out of his own pocket?"
  - C Then [the one who purchases the produce] sets aside money (with which to purchase the produce] and says, "All produce of this [type, i.e., the type in the basket] which is picked [at my expense] is [to be deemed] deconsecrated with these coins at [a rate of] so many baskets to a *sela*."
- **5:5** A (2) But during the Sabbatical year [the farmer] redeems [deconsecrates produce of the Fourth Year] at its full value [the purchaser may not deduct from the selling price what it will cost to harvest it]—
  - B (3) And if [during the other years of the Sabbatical cycle] there is an entire [crop which has been declared] ownerless, [and someone wants to sell it and bring the consecrated coins to Jerusalem, the one who deconsecrates it receives] compensation only for [what it costs him to] harvest [the crop, i.e., he does not receive the full market value of the produce].
  - C One who redeems his own produce from a planting's fourth year [so as to deconsecrate it] adds a fifth [to its selling price],
  - D whether [the produce] was his [originally] or was given to him as a gift [cf. M. 4:3C-D].

- **5:6** A The day preceding the last festival day of Passover in the fourth and seventh [years of the Sabbatical cycle] was [the time of] removal [the time at which the farmer must remove all consecrated produce from his domain].
  - B How was [this] removal [carried out]?
  - C (1) They give [produce in the status of] heave offering and [in the status of] heave offering of the tithe to those entitled to it [the priests],
  - D (2) and [they give produce in the status of] first tithe to those entitled to it [the Levites],
  - E (3) and [they give produce in the status of] poor man's tithe to those entitled to it [the poor].
  - F (4) But [produce in the status of] second tithe and firstfruits are removed [destroyed] under all circumstances [even outside of Jerusalem, since the farmer has no time to take them to the city].
  - G R. Simeon says, "Firstfruits are given to the priests [even outside of Jerusalem], just as [in the case of produce in the status of] heave offering."
  - H A cooked dish [containing produce in a consecrated status]—
  - I the House of Shammai say, "He must remove it [at the time of removal]."
  - J And the House of Hillel say, "Lo, it is as if it were already removed [since it has been transformed by the cooking]."
- **5:7** A One who had produce [in the status of second tithe] at this time [after the destruction of the Temple]
  - B and the time for removal arrives—
  - C the House of Shammai say, "He must deconsecrate [the produce by transferring its consecrated status] to coin."
  - D And the House of Hillel say, "It is all the same whether [the farmer removes his consecrated food in the form of] coin or [in the form of] produce."
- **5:8** A Said R. Judah, "At first they would send [word] to the householders in the provinces [before Passover of the fourth and seventh years of the Sabbatical cycle saying,] 'Hurry to properly remove [agricultural gifts] from your produce before the time of removal arrives,'
  - B "until R. Aqiba came and taught that all produce which has not yet become subject to the separation of tithes is exempt from [the law of] removal."
- **5:9** A One whose produce is unavailable to him [when the time for removal arrives]
  - B must make an oral declaration [designating the required agricultural gifts and transferring them to their proper recipients].
  - C *M'SH B*: Rabban Gamaliel and the elders were traveling on a ship [when the time for removal occurred]. Said Rabban Gamaliel, "The tenth I intend to measure out [and designate as first tithe] is given to Joshua [who is a Levite], and the place [in which it is located] is rented to him. The other tenth which I intend to remove [and designate as poor man's tithe] is given to Aqiba ben Joseph, who will make it available to the poor and the place [in which it is located] is rented to him."
  - D Said R. Joshua, "The tenth I intend to measure out [of the first tithe I will receive from Rabban Gamaliel and which I intend to designate as heave offering of the tithe for the priest], and the place [in which it is located] is rented to him."
  - E And they received rent payment from one another.

- **5:10** A During the afternoon of the last festival day [of Passover during the fourth and seventh years of the Sabbatical cycle, the farmers] would recite the confession [Dt. 26:13–15, stating that they have properly distributed or destroyed all consecrated produce from their domain, cf. M. M.S. 5:6].
  - B What was the confession?
  - C I removed all holy [produce] from my house (Dt. 26:13f)—
  - D this [refers to] second tithe and [produce from] a planting's fourth year [of growth].
  - E I gave it to the Levite—
  - F this [refers to] the tithe for the Levites [first tithe].
  - G And I also gave it—
  - H this [refers to] heave offering and heave offering of the tithe.
  - I To the stranger, the orphan, and the widow—
  - J this [refers to] poor man's tithe, gleanings, forgotten sheaves and what grows in the corner of the field [all of which are left for the poor];
  - K even though [leaving] these is not a prerequisite for saying the confession.
  - L From the house—
  - M this [refers to] dough offering.
- **5:11** A According to all the precepts you commanded me—
  - B lo, if he separated second tithe before [he separated] first [tithe, i.e., out of order] he may not recite the confession.
  - C I did not transgress your precepts—
  - D [this means] I did not separate [agricultural gifts] from one kind [of food] on behalf of another kind, and not from harvested produce on behalf of unharvested produce, and not from unharvested produce on behalf of harvested produce and not from new produce [produce harvested after the current *omer*] on behalf of old produce [from before the current *omer*] and not from old produce on behalf of new produce [M. Ter. 1:5].
  - E And I did not forget anything—
  - F I did not forget to praise you and to mention your name [in connection with my crop].
- **5:12** A *I did not eat of it while in mourning*
  - B lo, if he ate [second tithe or produce of a planting's Fourth Year] while he was in a state of mourning before the burial, he may not recite the confession.
  - C Nor did I separate unclean produce from it [as an agricultural gift]—
  - D lo, if he separated it [the agricultural gift] when it was in a state of uncleanness, he may not recite the confession.
  - E And I did not give [any of its value] for the dead—
  - F I did not [use its value] to buy a coffin and shrouds for the dead.
  - G And I did not give it—
  - H to other mourners [whose dead are unburied].
  - I I obeyed the Lord my God—
  - J I brought it to the chosen Sanctuary [Jerusalem].
  - K I did according to all you commanded me—
  - L I was happy and made others happy [with the produce].
- **5:13** A Look down from your holy dwelling place in heaven—
  - B We did what you required of us, now (`p) you do what you promised us.
  - C Look down from your holy dwelling place in heaven and bless your people Israel—
  - D with sons and daughters.

- E And the earth which you gave us—
- F with dew and rain and with offspring of cattle.
- G As you vowed to our fathers [to give them] a land flowing with milk and honey—
- H in order to give the fruit a [sweet] taste.
- **5:14** A On the basis of this [verse] (G) they said,
  - B "Israelites and *mamzers* [those of impaired lineage] may recite the confession
  - C but not aliens or freed slaves, for these do not [hold] a portion of the land."
  - D R. Meir says, "Also: priests and Levites do not [recite the confession] since they did not acquire a portion of the land."
  - E R. Yose says, "[Priests and Levites do recite the confession for] they have the Levitical cities."
- **5:15** A Yohanan the High Priest [John Hyrcanus] did away with (1) [the recitation of] the confession concerning [the removal of] tithes.
  - B Also: he dismissed (2) those who sing in the Temple the psalm of awakening [Ps. 94:24, *Awake, why do you sleep, O Lord* ... ], and (3) those who stun [the sacrificial animals before they are slaughtered].
  - C (4) And until his time, hammers would pound [work was done] in Jerusalem [during the intermediate days of Passover and Sukkot].
  - D (5) And in his time, no one had to ask [which agricultural gifts had been separated] from produce purchased from an *Am haares*.

# HALLAH *Abraham Havivi*

- **1:1** A [Loaves of bread made from] five types [of grain] are subject to dough offering:
  - B (1) wheat, (2) barley, (3) spelt, (4) oats, and (5) rye;
  - C lo, [loaves of bread made from] these [species] are subject to dough offering,
  - D and combine with each other (for the purpose of reckoning whether or not a batch of dough comprises the minimum volume subject to dough offering (M. Hal. 1:4, 2:6, M. Ed. 1:2)].
  - E And [products of these species] are forbidden [for common use] until Passover, under the category of new produce [produce harvested before the waving of the first sheaf (Lev. 23:14)],
  - F And [grasses of these species may not be] reaped until [the reaping of] the first sheaf [Lev. 23:10–11].
  - G And if they took root prior to [the waving of] the first sheaf, [the waving of] the first sheaf releases them [for common use].
  - H But if [they did] not [take root prior to the waving of the first sheaf], they are forbidden [for common use] until [the time] comes [for the waving of] the next first sheaf [one year later].
- **1:2** A One who eats on Passover an olive's bulk of unleavened bread [made from one of the five species of grain listed at M. 1:1B] has fulfilled his obligation [to eat unleavened bread (Ex. 12:18)];

- B [One who eats on Passover] an olive's bulk of leavened bread [made from one of these species] is liable to extirpation [Ex. 12:15].
- C [If dough made from] one of them [the five species, which was leavened,] became mixed with [dough made from] any [other] species [of grain]—
- D lo, this one [the person who makes use of such a mixture on Passover] transgresses [the laws of] Passover.
- E "One who vows [to abstain] from [eating] bread or grain is forbidden [from eating anything made from] them [the five species]," the words of R. Meir.
- F But sages say, "One who vows [to abstain] from [eating] cereals is forbidden [to eat products of] only those [species (M. Ned. 7:2)]."
- G And [grain of any of these species] is subject to [both] dough offering, [when made into dough,] and tithes.
- **1:3** A [Grain in one of] the following [categories] is subject to dough offering [when made into dough,] but exempt from tithes:
  - B (1) Gleanings [M. Pe. 4:10], (2) forgotten sheaves [M. Pe. 6:5], (3) produce of the corner of a field [M. Pe. 1:4], (4) that which has been abandoned, (5) first tithe from which heave offering [of the tithe] has been removed [Num. 18:28], (6) second tithe [Dt. 14:22–26] and (7) that which is dedicated to the Temple which has been redeemed [by the original owner, who exchanged for it a sum of money equivalent to it in value], (8) the leftover [portion] of [grain which was harvested for the offering of] the first sheaf [M. Men. 10:3–4], and (9) grain which has not reached one-third [of its expected growth (M. Ma. 1:3)].
  - C R. Eliezer says, "Grain which has not reached one-third [of its expected growth] is exempt from dough offering [when made into dough]."
- **1:4** A The following are subject to tithes but [when made into dough] are exempt from dough offering:
  - B (1) rice, (2) sorghum, (3) poppy, (4) sesame, and (5) pulse,
  - C and [bread dough made from] less than five-fourths [*qab*] of grain [M. Hal. 2:6].
  - D (1) Sponge cakes, (2) honey cakes, (3) dumplings, and (4) pancakes,
  - E and [bread dough made from] a mixture of unconsecrated and consecrated [grain in a ratio of less than 100:1],
  - F are exempt from dough offering.
- **1:5** I A Dough which was [prepared like] sponge cake from the beginning to the end [of its processing] is exempt from dough offering.
  - II B [Dough which was prepared like bread] dough at the beginning [of its processing] and [like] sponge cake at the end,
  - III C [or dough which was prepared like] sponge cake at the beginning [of its processing] and [like bread] dough at the end,
    - D is subject to dough offering.
    - E And bread crumbs likewise are subject.
- **1:6** A [As regards] *meisah* dumplings—
  - B the House of Shammai declare [them] exempt [from dough offering].
  - C But the House of Hillel declare [them] subject [to dough offering].
  - D [As regards] halitah dumplings—
  - E the House of Shammai declare [them] subject [to dough offering],

- F but the House of Hillel declare [them] exempt [from dough offering].
- G [As regards] loaves [offered along with a] thank offering [Lev. 7:12] or wafers [offered along with the offering] of a Nazirite [Num. 6:1–24]
- H [if] one made them for one's own use, he is exempt [from separating dough offering for them].
- I [But if one made them in order] to sell [them) in the market, he is obliged [to separate dough offering for them (M. Pes. 2:5)].
- **1:7** A [As regards] a baker who made [dough to be used as] leaven [which he intends] to distribute [to customers]—
  - B [the leaven] is subject to dough offering.
  - C [As regards] women who gave [dough] to the baker to make [it into] leaven for them—
  - D if [the dough] of each woman comprises less than the [prescribed minimum] volume [subject to dough offering (M. Hal. 1:4, 2:6)],
  - E [the dough] is exempt from dough offering.
- **1:8** A [As regards] dogs' dough—
  - B when shepherds [will] eat it,
  - C (1) it is subject to dough offering; (2) [people] may make an *erub* with it; (3) [people] may make a partnership *erub* with it; (4) [people] say the blessing [for bread] over it [before eating it (M. Ber. 6:1)]; (5) [people] say a common grace over it [after eating it (M. Ber. 7:1)]; (6) it may be cooked on a festival [Ex. 12:16]; and (7) a person fulfills his obligation [to eat unleavened bread] on Passover by means of [eating] it.
  - D [But] if shepherds [will] not eat it,
  - E (1) it is not subject to dough offering; (2) [people] may not make an *erub* with it; (3) [people] may not make a partnership *erub* with it; (4) (people] do not say the blessing [for bread] over it; (5) [people] do not say a common grace over it; (6) it may not be cooked on a festival; and (7) a person does not fulfill his obligation [to eat unleavened bread] on Passover by means of [eating] it.
  - F Whether or not [the shepherds will eat it], it is susceptible to uncleanness as food [M. Toh. 8:6].
- **1:9** A [As regards both dough in the status of] dough offering and [produce in the status of] heave offering—
  - B [non-priests who eat them] are liable to death [if they eat the offering intentionally], or [to pay the offering's value and] an [added] fifth [if they eat the offering unintentionally (M. Ter. 6:1)].
  - C They are forbidden [for use by] non-priests, as they are priestly property.
  - D They are neutralized [they lose their consecrated status, in a mixture] with [at least] one hundred and one [parts of unconsecrated food].
  - E They require washing of the hands [on the part of any priest before he may handle them] and, [after ritual immersion, an unclean priest must await] sunset [before he may handle them (Lev. 22:6–7)].
  - F And they may not be separated from a clean [batch of dough or produce on behalf of] an unclean [batch].
  - G But [they may be separated] from [one batch to fulfill the liability for another only if the two batches are] nearby [i.e., joined into a single batch], and [may be separated only] from that which is fully processed [M. Ter. 1:10].

- H One who says, "All [the produce of] my threshing floor is heave offering," or, "All my dough is dough offering,"
- I has not made a valid declaration.
- J [Any such declaration is invalid] unless he leaves a little [produce or dough unconsecrated (M. Ter. 4:5)].
- **2:1** A [Dough made from] foreign produce which was imported to the Land [of Israel] is subject to dough offering.
  - B [Dough made from produce which] was exported from here [the Land of Israel] to there [foreign countries]—
  - C R. Eliezer declares [such dough] subject [to dough offering].
  - D But R. Aqiba declares [it] exempt [from dough offering].
- **2:2** A [Produce grown in] foreign soil, which was brought on a ship to the Land [of Israel] is subject to tithes and [the laws of] the Sabbatical year.
  - B Said R. Judah, "Under what circumstances [does this apply? Only] when the ship is grounded."
  - C Dough which was kneaded with fruit juice is subject to dough offering,
  - D but [nonetheless] may be eaten [by someone] with unclean hands.
- **2:3** A A woman may sit naked and separate her dough offering, since she is able to cover herself [her genitals].
  - B But a man may not [separate dough offering while naked, since he cannot cover his genitals].
  - C One who is unable to prepare his dough in [a state of] cleanness—
  - D let him prepare it in one-*qab* portions [which are exempt from dough offering], but let him not prepare it in [a state of] uncleanness.
  - E But R. Aqiba says, "Let him prepare it in [a state of] uncleanness, and let him not prepare it in one-*qab* portions.
  - F "For just as he may designate a clean [portion] as dough offering, so he also may designate an unclean [portion] as dough offering:
  - G "He designates the one 'dough offering' by name and designates the other 'dough offering' by name,
  - H "but one-*qab* portions have no part [in them large enough to be designated 'dough offering'] by name."
- **2:4** A One who makes his dough in one-*qab* portions, and they touched each other—[the portions] are exempt from dough offering, unless they stick together.
  - B R. Eliezer says, "Also: One who scrapes [loaves of one-*qab* portions from the sides of an oven] and puts [the loaves] in a basket—the basket combines them [into a single portion large enough so as to be subject] to dough offering."
- **2:5** A One who separates his dough offering [from] flour [which has not yet been made into dough]—
  - B [the separated portion] is not dough offering.
  - C And [if it comes] into a priest's possession [without the owner having given it to him, that is a case of] theft.
  - D The same dough [made from original batch of flour still] is subject to dough offering,

- E while the [portion of] flour [that had been separated as dough offering]—
- F if it comprises the [minimum] volume [subject to dough offering],
- G it [remains] subject to dough offering.
- H "[The portion of flour originally separated as dough offering] is forbidden to non-priests [even though it is not considered dough offering]," the words of R. Joshua.
- I They said to him, "[We have heard of] a case in which a non-priestly elder snatched it [such a portion, for his own use]."
- J He said to them, "Nonetheless, he has done himself ill [by violating the law] and given others a remedy [by enabling them to violate the law with impunity, since they would be following the precedent of an elder]."
- **2:6** A Five-fourths [*qab*] of flour is subject to dough offering [once made into dough].
  - B [If] it [i.e., the flour] and its leaven, fine bran, and coarse bran [together comprise] five-fourths [*qab*, the whole] is subject [to dough offering once made into dough].
  - C [If] the coarse bran was removed from [the batch of flour, so that the latter now comprised less than five-fourths *qab*], and [subsequently] was put back in—
  - D lo, this [batch] is exempt [from dough offering, because the returned coarse bran does not combine with the rest].
- **2:7** A The amount of dough offering [that one must separate] is one-twenty-fourth [of the entire batch of dough].
  - B One who makes dough for his own use, or one who makes [dough] for his son's [wedding] banquet [a large amount for private use—he must separate] one-twenty-fourth.
  - C A baker who makes [dough] for sale in the market, and likewise a woman [not a professional baker] who makes [dough] for sale in the market—[they must separate] one-forty-eighth.
  - D [If the woman's] dough became unclean by accident or [as a result of the woman's] acting under constraint [she must separate] one-forty-eighth.
  - E [But if her dough] became unclean by means of her deliberate action—[she must separate] one-twenty-fourth,
  - F so that a sinner does not benefit [from the fact that the dough became unclean].
- **2:8** A R. Eliezer says, "[Dough offering] may be separated from a clean [batch of dough on behalf of] an unclean [batch]."
  - B How [does one do this]?
  - C [If there is a batch of] clean dough and [a batch of] unclean dough, one separates from [the clean batch of] dough, the dough offering of which has not [yet] been removed, [a portion] sufficiently great [to serve as] dough offering [for both batches],
  - D and one places [a piece of dough] smaller than the bulk of an egg [i.e., a piece too small to transmit uncleanness] in between [the two batches, touching each],
  - E so that one [in effect] separates [dough offering on behalf of the unclean batch] from [a batch] which is nearby [i.e., connected].
  - F But sages forbid [this procedure (M. Hal 1:9F-G)].
- **3:1** A [People] may snack on dough [without first separating dough offering from it] until she [the woman preparing the dough] rolls [the dough] out [alt. trans.: makes the dough into a ball], in the case of [dough made from] wheat, or [until] she forms [it] into a solid mass, in the case of [dough made from] barley.

- B [Once] she rolled [the dough] out, in the case of [dough made from] wheat, or formed [it] into a solid mass, in the case of [dough made from] barley, one who eats from it [without first separating dough offering] is liable to death.
- C As soon as she puts water [into the flour], she must remove her [portion of] dough offering,
- D so long as there is not five-fourths [*qab*] of flour [left unmixed with water. Since this flour is not yet subject to dough offering (M. Hal. 2:5A-B), one may not separate dough offering for it, and so the flour will still become subject to dough offering once mixed with water].
- **3:2** A [If,] before she rolled [it] out, her dough became mixed with consecrated [dough, the mixture] is exempt [from dough offering],
  - B for a mixture of unconsecrated and consecrated [dough] is exempt [from dough offering (M. Hal. 1:4E-F)].
  - C However, [if the mixture occurred] after she rolled [the unconsecrated dough] out, [the mixture] is subject [to dough offering, since liability to dough offering took effect as soon as the unconsecrated dough was rolled out].
  - D [If] the possibility that [she had entered a state of] uncleanness arose before she rolled [the dough] out, let it be prepared in [a state of] uncleanness [the possibility of uncleanness has already rendered the dough unfit to be eaten by a priest, and so there would be no point for the woman to wait until she is able to prepare the dough in a state of cleanness].
  - E But [if the same possibility arose] after she rolled [the dough] out, let it be prepared in [a state of] cleanness [let the woman wait until she is in a state of cleanness to prepare the dough].

3:3	Ι	A	[If] she dedicated her dough to the Temple before she rolled [it] out, [subsequently] redeemed it [(M. Hal. 1:3B7), and only then rolled it out], it is subject [to dough offering, since the dough was no longer consecrated at the point at which liability to dough offering took effect (M. Hal. 1:3A-B)].
	II	В	[If she dedicated her dough to the Temple] after she rolled [it] out, and [subsequently] redeemed it, it is subject [to dough offering, for the same reason explained at A].
	III	C	[If] she dedicated it to the Temple before she rolled [it] out, and the [Temple] treasurer rolled it out, and she subsequently redeemed it, it is exempt [from dough offering],
		D	for at the point at which its liability [to dough offering normally would have taken effect, the dough] was exempt [since it already was property of the Temple].
3:4	Ι	А	Analogously, one who dedicates his produce to the Temple before the time [when liability to] tithes [takes effect], and [subsequently] redeemed it [at a point in time when liability to tithes still had not taken effect, the produce] is subject [to tithes].
	II	В	And [if he dedicated his produce to the Temple] after the time [when liability to] tithes [takes effect], and [subsequently] redeemed it, [the produce] is subject [to tithes].
	III	C	[If] he dedicated [his produce] to the Temple before it was fully processed, and the [Temple] treasurer completed its processing, and [the original owner] subsequently redeemed it, it is exempt [from tithes],
		D	for at the point at which its liability [to tithes normally would have taken effect, the produce] was exempt [M. Pe. 4:8].

- **3:5** A A gentile who gave [flour] to an Israelite to make into dough for him—
  - B [the dough] is exempt from dough offering.
  - C [If the gentile] gave it to him as a gift—
  - D [if he gave the dough to him] before he rolled [it] out, it is subject [to dough offering].
  - E But [if he gave the dough to him] after he rolled [it] out, it is exempt [from dough offering].
  - F One who prepares dough [in partnership] with a gentile—
  - G if [the share of the dough] belonging to the Israelite does not comprise the [minimum] volume [subject to] dough offering,
  - H it is exempt from dough offering.
- **3:6** A A convert who converted [to Judaism] and had dough in his possession (at the time he converted]—
  - B [if the dough] was prepared before he converted, it is exempt [from dough offering].
  - C But [if it was prepared] after he converted, it is subject [to dough offering].
  - D And if it is uncertain [whether the dough was prepared before or after he converted], it is subject [to dough offering].
  - E But [non-priests who unintentionally eat the separated dough offering in this instance] are not liable [to pay back] for it one-fifth [the value of the dough offering beyond its principal value].
  - F R. Aqiba says, "[Liability in] all [the cases of M. 3:1–3, 5–6E] is determined [not by the status of the dough at the point at which one rolls it out but] by [its status at the point at which] the crust [forms on the bread] in the oven."
- **3:7** A One who makes dough from [a mixture of] wheat [flour] and rice [flour]—
  - B if it [i.e., the dough] has the taste of cereal [wheat], it is subject to dough offering.
  - C And a person fulfills his obligation [to eat unleavened bread] on Passover by means of [eating] it [M. Hal. 1:1A-B, 1:2A].
  - D But if it does not have the taste of cereal, it is not subject to dough offering.
  - E And a person does not fulfill his obligation [to eat unleavened bread] on Passover by means of [eating] it.
- **3:8** A One who removes [dough for use as] leaven from [a batch of] dough the dough offering of which has not [yet] been separated, and adds [the leaven] to [a batch of] dough the dough offering of which has been separated—
  - B if he has the means [to discharge his obligation for the leaven by separating dough offering for it] from another [batch of dough], he removes [from the other batch] the correct proportion [of dough to discharge that obligation].
  - C But if [he does] not [have the means to do so], he removes one portion of dough offering [from the batch which contains the leaven to discharge his obligation] for the whole [even though he already has separated dough offering from the batch before mixing the leaven in, he must now separate a second offering from it].
- **3:9** A Analogously, [in the case of] olives [which have been] harvested [by the owner, which are liable to tithes,] that became mixed with gleaner's olives, [which are exempt,]
  - B [or in the case of] grapes [which have been] harvested [by the owner, which are liable to tithes,] with gleaner's grapes, [which are exempt]—

- C if [the owner] has the means [to discharge his obligation for the untitled olives or grapes which he had harvested by separating titles for them] from another [batch], he removes [from the other batch produce] in the correct proportion [to discharge that obligation].
- D But if [he does] not [have the means to do so], he removes heave offering and heave offering of the tithe [from the mixed batch to discharge his obligation] for the whole.
- E But [from] what remains [after he has separated heave offering and heave offering of the tithe he removes produce in the correct proportion for first] tithe and second tithe [to discharge his obligation for only the harvested olives or grapes in the mixture. Since first and second tithe are not holy, as are the offerings listed at D, we are not concerned that the mixture may contain produce in the status of either].
- **3:10** A One who removes [dough for use as] leaven from [a batch of] wheat dough [the dough offering of which has not yet been separated] and adds it to [a batch of] rice dough—
  - B if [the rice dough now] has the taste of cereal, it is subject to dough offering.
  - C But if not, it is exempt.
  - D If that is the case, why did they say, "Untitled food in any amount, [when mixed with titled food,] renders [the entire mixture] forbidden [until titles have been properly removed]"?
  - E [That refers to mixtures of] the same species.
  - F But [in cases of mixtures of] different species, [the untitled food renders the whole forbidden] only when it imparts [its] flavor [to the whole].
- **4:1** A Two women who made two [separate] one-*qab* portions [of dough], and [the portions] touched each other—
  - B even if [the portions derive] from a single species, they are exempt [from dough offering, since they are owned by different people].
  - C But when [the portions] belong to the same woman—
  - D [if they are of] a single species, [the dough is] subject [to dough offering].
  - E But [if they are of] different species, [the dough is] exempt [from dough offering].
- **4:2** A [In considering whether or not batches of dough combine with each other to comprise the minimum volume liable to dough offering,] what [grains] constitute a single species?
  - B [Flour made from] wheat combines with nothing but [flour made from] spelt.
  - C [Flour made from] barley combines with all [types of flour], except for [that made from] wheat.
  - D R. Yohanan b. Nuri says, "The other species combine with each other."
- **4:3** A Two one-*qab* portions [joined by] a *qab* of [dough made from] rice or a *qab* of [dough in the status of] heave offering [a category of dough that never incurs liability to dough offering, located] between [them], do not combine [to constitute an amount liable to dough offering, since they are connected by a portion of dough that is not subject to dough offering].
  - B (Two one-*qab* portions having] between [them] a batch [of dough] the dough offering of which [already] has been removed, do combine [to constitute an amount subject to dough offering], since [the middle portion] has already incurred liability to dough offering [since it is a type of dough which does incur liability to dough offering, unlike the types serving as connectors in M. 4:3A].

- **4:4** A A one-*qab* portion of [dough made from] new produce [produce harvested after the offering of the first sheaf (M. Men. 10:1–10)] and a one-*qab* portion of [dough made from] old produce [produce harvested before the offering of the first sheaf] which stuck together—
  - B R. Ishmael says, "Let him separate [dough offering for the entire batch] from the middle."
  - C But sages forbid [this procedure (M. M.S. 5:11)].
  - D One who separates dough offering from a one-*qab* portion, [which is not subject to dough offering]—
  - E R. Aqiba says, "[The separated portion is] dough offering."
- **4:5** A Two one-*qab* portions the dough offering of which had been removed [from] each (portion] separately,
  - B and then one made them into a single [batch of] dough—
  - C R. Aqiba declares [the combined batch] exempt [from dough offering, since dough offering had already been separated from each batch before they were combined].
  - D But sages declare [it] subject [to dough offering].
  - E Thus his [R. Aqiba's] stringent ruling [at M. 4:4D-E] ends up [producing] his lenient ruling [in the present case].
- **4:6** A [Even though he intends to set a batch of dough aside for later use (M. 4:6B),] a person must [immediately] remove the requisite amount [of dough as] dough offering [from the batch of] dough, the dough offering of which has not [yet] been removed, in order to make [separate] it [the dough offering] in [a state of cleanness.
  - B [This is the case even though he intends to set the dough aside] until it rots [so that he can] continue separating it [from that batch of dough] dough offering on behalf of dough about which there is a doubt whether or not dough offering [already] has been separated from it.
  - C For dough offering on behalf of dough about which there is a doubt whether or not dough offering had [already] been separated from it may be removed from a clean [batch to fulfill the liability] for an unclean [batch], and [also may be removed] from [a batch that is] not nearby [connected].
- **4:7** A Israelites who were sharecroppers [on the land] of gentiles in Syria—
  - B R. Eliezer declares their produce subject to tithes and [the laws of] the Sabbatical year.
  - C But Rabban Gamaliel exempts [such produce from these liabilities].
  - D Rabban Gamaliel says, "[Israelites must separate] two [portions of] dough offering in Syria [M. Hal. 4:8]."
  - E But R. Eliezer says, "[They separate only] one [portion of] dough offering."
  - F At first they adopted [both] the lenient ruling of Rabban Gamaliel [at M. 4:7C] and the lenient ruling of R. Eliezer [at M. 4:7E].
  - G [But] later they acted [wholly] in accordance with the opinion of Rabban Gamaliel in both aspects [they followed both Gamaliel's lenient ruling at M. 4:7C and his stringent ruling at M. 4:7D].
- **4:8** A Rabban Gamaliel says, "There are three regions with respect to [the law of] dough offering [M. Sheb. 6:1]:
  - B "(1) From the Land of Israel [proper] to Keziv [one must separate] one [portion of] dough offering [for each batch of dough];

- C "(2) from Keziv to the River and Amanus [one must separate] two [portions of] dough offering (for each batch of dough]: one [to be thrown] into the fire, and one [to be given] to a priest;
- D "the one [to be thrown] into the fire is subject to a minimum,
- E "while the one [to be given] to a priest is not subject to a minimum.
- F "(3) From the River and Amanus and beyond [one must separate] two [portions of] dough offering (for each batch of dough] one [to be thrown] into the fire and one [to be given] to a priest;
- G "the one [to be thrown] into the fire is not subject to a minimum,
- H "while the one [to be given] to a priest is subject to a minimum.
- I "Yet [the latter portion] may be eaten by [a priest] who has immersed on the selfsame day [but still awaits the completion of his purification process at sunset (M. Hal. 1:9A, E)].
- J R. Yose says, "He does not [even] require immersion [to be able to eat the dough offering, i.e., he may eat it when he is wholly unclean]."
- K And [the dough offering still] is forbidden for [consumption by] males who have a flux, females who have a flux, menstruants, and those who have borne children [and not yet reentered a state of cleanness].
- L And it may be eaten at [the same] table with a non-priest.
- M And it may be given to any priest [not only one who keeps the laws of purity].
- **4:9** A And the following [also] may be given to any priest:
  - B (1) Things which have been placed under the ban [Num. 18:14ff.]; (2) firstborn [animals (Lev. 27:26)]; (3) money given in exchange for redemption of a [first-born] son [Ex. 34:20]; (4) money given in exchange for redemption of a firstborn donkey [Ex. 1:13]; (5) the shoulder, cheeks, and maw [of an animal offering (Dt. 18:3–4)]; (6) the first shearing [of the sheep (Dt. 18:4)]; (7) the oil [in the status of heave offering that has become unclean, and therefore cannot be eaten by a priest but instead must be] burned; (8) holy things [offerings] of the Temple; and (9) firstfruits [M. Bik. 3:12].
  - C R. Judah declares [a priest who does not keep the purity laws] forbidden [to make use of] firstfruits.
  - D [As regards] vetches [in the status of] heave offering—
  - E R. Aqiba declares [them] permitted [to any priest].
  - F But sages declare [them] forbidden (to a priest who does not keep the laws of purity].
- **4:10** A Nittai and Teqoan brought dough offering from Beitar [to the Land of Israel to give it to a priest], and [the priesthood] would not accept [it] from him.
  - B People from Alexandria brought their dough offering from Alexandria [to the Land of Israel to give it to a priest], and [the priesthood] would not accept [it] from them.
  - C People from Mount Sevoim brought their firstfruits [to Jerusalem to give to a priest] before Pentecost [too early (M. Bik. 1:3)], and [the priesthood] would not accept [the firstfruits] from them,
  - D because of the verse in the Torah, [You shall keep ...] the feast of harvest, of the firstfruits of your labor, of what you sow in the field (Ex. 23:16). The verse is taken to indicate that the firstfruits must be brought to Jerusalem just in time for Pentecost, [and not before].
- **4:11** A The son of Antines brought firstborn [animals] up from Babylonia [to the Land of Israel to give to a priest], and [the priesthood] would not accept [them] from him.
  - B Joseph the priest brought the first of the wine and oil, [to the land of Israel to give to a priest], and [the priesthood] would not accept [it] from him.

- C He even brought his children and the members of his household up [to Jerusalem] to celebrate Minor Passover [the festival on the fourteenth of *Iyyar* for those who were in a state of uncleanness on the fourteenth of *Nisan*, the date of Passover (Num. 7:3–11) in Jerusalem, and they sent him away,
- D so that the matter would not be established as obligatory.
- E Ariston brought his firstfruits from Apamea [to Jerusalem to give to a priest] and (the priesthood] accepted [the firstfruits] from him,
- F because they said, "One who acquires [land] in Syria is like one who acquires [land] in the outskirts of Jerusalem."

### ORLAH

## Howard Essner and Alan J. Avery-Peck

- **1:1** A One who plants [a fruit tree] as a fence or for lumber—
  - B (the tree] is exempt from [the restriction of] *orlah* [Lev. 19:23–24].
    - C R. Yose says, "Even [if] he said' [The side of the tree facing] inward [facing toward the fields, is intended] for food, and [the side of the tree facing] outward [facing away from the field, is intended] as a fence,'
    - D "[the side of the tree facing] inward is subject [to the restriction of *orlah*], and [the side of the tree facing] outward is exempt."
- **1:2** A When our fathers came to the Land [of Israel],
  - B [if] he found [a fruit tree already] planted,
  - C it was exempt [from the restriction of *orlah*].
  - D [If] he planted [a fruit tree],
  - E even though they had not [yet] conquered [all of the Land],
  - F it was subject.
  - G He who plants [a fruit tree] for public [use]—
  - H it is subject [to the restriction of *orlah*].
  - I R. Judah exempts.
  - J (1) One who plants [a fruit tree] in the public domain,
    - (2) and a gentile who planted (a fruit tree],
    - (3) and a robber who planted [a fruit tree],
    - (4) and he who plants [a fruit tree] in a boat,
    - (5) and that [fruit tree] which sprouts by itself [without being planted]—
  - K [the tree] is subject to [the restriction of] *orlah*.
- **1:3** A A tree which was uprooted together with the clump of earth [surrounding its roots],
  - B [or a tree which] a river swept away together with the clump of earth [surrounding its roots] —
  - C if it is able to live [from the clump alone and is replanted,] it is exempt [from the restriction of *orlah*].
  - D But if not [if it could not live without being replanted], it is subject [after it is replanted, as if it were a new tree].
  - E (1) [If] its clump of earth was separated from it,
    - (2) [if] the plough shook it and exposed its roots,

- (3) or [if a man] shook it and repaired it with soil—
- F if it is able to live [from the soil remaining around its roots], it is exempt.
- G But if not, it is subject.
- **1:4** A [As for] a tree which was uprooted, [but] a root remained [in the ground],
  - B [should the tree be replanted] it is exempt [from the restriction of *orlah*, for it is deemed the same old tree].
  - C How thick need the root be?
  - D R. Gamaliel says in the name of R. Eleazar b. Judah of Bartotha, "As [thick as] a weaver's stretching pin."
- **1:5** A [As for] a tree which was uprooted, and a sunken shoot [remained] there, and it [the tree] draws sustenance from it [the shoot]—
  - B the old [tree] returns to the status of the sunken shoot [and is subject to the restrictions of *orlah*].
  - C If he sunk a shoot year after year,
  - D and [the shoot] broke off [from the tree],
  - E he counts it [the years of prohibition under the law of *orlah*] from the time at which it broke off.
  - F Grafting of vines and regrafting of the grafted part,
  - G even if he sunk them as shoots in the ground,
  - H are permitted [the new graftings are not subject to the restriction of *orlah*].
  - I R. Meir says, "If he grafted in a place in which its [the vine's] growth is healthy,
  - J "it is permitted [not subject];
  - K "but in a place in which its growth is poor
  - L "it is prohibited [subject]."
  - M And so a sunken shoot which is broken off and which is filled with fruit—
  - N if [the fruit] increased by one two-hundredth part,
  - O all of the fruit is prohibited [under the restriction of *orlah*].
- **1:6** A [As for] a sapling [subject to the restriction] of *orlah*, or [a sapling prohibited under the laws] of *Diverse kinds* in a vineyard, which was mixed together with [permitted] saplings—
  - B behold, this one may not pick [fruit from any of the trees].
  - C If he picked,
  - D [the forbidden produce] is neutralized in [a ratio of] one [part of forbidden fruit] to two hundred parts of permitted fruit].
  - E And this is so provided that he does not purposely [pick the produce in order to have it neutralized].
  - F R. Yose says, "Even [if] he purposely picks [the produce],
  - G "it is neutralized in two hundred and one."
- **1:7** A (1) Leaves, (2) young sprouts, (3) sap of vines and (4) budding berries [of vines] are permitted [for use] under [the laws of] *orlah*, the Fourth Year [Lev. 19:24] and the Nazirite vow [Num. 6:1–8].
  - B But they are forbidden [for use] under [the prohibition of] the *Asherah* [a tree used in idol worship; Dt. 7:5].
  - C R. Yose says, "The budding berry is forbidden, because it is a fruit."

- D R. Eliezer says, "He who curdles milk with the sap of [a tree subject to] orlah—
- E "[the milk] is forbidden [under the law of *orlah*]."
- F Said R. Joshua, "I have heard explicitly that one who curdles milk with the sap of the leaves [of an *orlah* tree, for] with the sap of the roots [of an *orlah* tree]—
- G "[the milk] is permitted [not in the status of *orlah*].
- H "[But he who curdles milk] with the sap of unripe figs [of an *orlah* tree]—
- I "[the milk] is forbidden, because the [figs] are fruit."
- **1:8** A (5) Defective grapes, (6) grape pips, (7) grape skins, (8) wine [made] from them, (9) the rind of a pomegranate and (10) its young bud, (11) walnut shells and (12) fruit pits are forbidden [for use] under [the restrictions of] *orlah*, the *Asherah*, and the Nazirite vow.
  - B But they are permitted under [the prohibition of] the Fourth Year.
  - C And fallen unripe fruit is forbidden in all cases [under the prohibitions of *orlah*, the Fourth Year, the *Asherah*, and the Nazirite vow].
- **1:9** A R. Yose says, "They may plant a young shoot of [an] *orlah* [tree], but they may not plant a walnut of [an] *orlah* [tree], because [the walnut] is fruit (and subject to the restrictions of *orlah*].
  - B "And they may not graft with [a young shoot of] early date berries of [an] *orlah* [tree]."
- **2:1** A (1) Heave offering, (2) heave offering of the tithe separated from produce about which there is a doubt whether or not it already was tithed, (3) dough offering and (4) firstfruits are neutralized in one hundred and one [one hundred parts of common produce neutralizes the effect of one part of any of these offerings].
  - B And [these different offerings] join together [to comprise the quantity of forbidden produce which renders forbidden a mixture with permitted produce].
  - C And it **is** necessary to remove [from the mixture, for the priest, a quantity of produce equal to that of the offering which was lost in the common produce].
  - D (5) *Orlah* [fruit] and [fruit prohibited under the laws of] (6) *Diverse kinds* in a vineyard are neutralized in [a ratio of] one [part of either of these] to two hundred [parts of permitted produce].
  - E And they join together.
  - F But it is not necessary to remove [a like quantity of produce from the mixture].
  - G R. Simeon says, "*Orlah* [fruit] and *Diverse kinds* do not join together (to create the quantity of forbidden produce which renders forbidden permitted produce with which they are mixed]."
  - H R. Eliezer says, "They join together [if together] they impart flavor [to the permitted food with which they are mixed],
  - I "but not [in other cases, so as to render] the mixture forbidden."
- **2:2** A Heave offering neutralizes *orlah* [fruit with which it is mixed], and *orlah* [fruit] neutralizes heave offering [with which it is mixed].
  - B How so?
  - C [This occurs in the case of] a *seah* of heave offering which fell into [a batch of common produce so as to yield a total of] one hundred [*seahs*],
  - D and afterward three *kabs* [one-half *seah*] of *orlah* [fruit], or three *kabs* of [fruit prohibited by] *Diverse kinds* in a vineyard fell [into the mixture].

- E This is [a case in] which heave offering neutralizes *orlah* (fruit], and *orlah* [fruit] neutralizes heave offering [such that the final mixture is in the status of common produce].
- A (1) Orlah [fruit] neutralizes [fruit prohibited under the law of] Diverse kinds in a vineyard,
  (2) [fruit prohibited under the law of Diverse kinds in a vineyard neutralizes orlah [fruit], and (3) orlah [fruit] neutralizes [other] orlah [fruit].
  - B How so?
  - C [This occurs in the case of] a *seah* of *orlah* [fruit] which fell into two hundred [*seahs* of permitted fruit],
  - D and afterward a little more than a *seah* of *orlah* [fruit] or a little more than a *seah* of [fruit prohibited under the law of *Diverse kinds* in a vineyard fell [into the mixture].
  - E This is [a case in] which *orlah* [fruit] neutralizes [fruit prohibited under the law of] *Diverse kinds* in a vineyard, and [fruit prohibited under the law of] *Diverse kinds* in a vineyard neutralizes *orlah* [fruit], and *orlah* [fruit] neutralizes [other] *orlah* [fruit].
- **2:4** A Whatever [forbidden produce] leavens, spices, or is mixed in sufficient quantity [with common food],
  - B whether [the forbidden produce is] heave offering, *orlah* or [produce forbidden as] *Diverse kinds* in a vineyard—
  - C [the resultant dish] is forbidden.
  - D And the House of Shammai say, "[Whatever leavens, etc.], also conveys uncleanness [in the mixture]."
  - E But the House of Hillel say, "It does not convey uncleanness, unless it is an egg's bulk [in quantity]."
- **2:5** A Dositheus of Kefar Yatmah was one of the disciples of the House of Shammai and he said, "I have heard [a tradition] from Shammai the Elder, who said,
  - B "'It does not convey uncleanness unless it is an egg's bulk [in quantity].' "
- **2:6** A And [with reference] to what did they say, "Whatever leavens, spices or is mixed [etc.,]" yields a strict ruling [in that the mixture is forbidden even if it contains sufficient permitted produce to neutralize the forbidden]?
  - B [They said it with reference to the case of] one kind [of produce] mixed with [produce of its] same kind.
  - C [And with reference to what did they say, "Whatever leavens, etc.,"] yields [both] a lenient and a strict ruling?
  - D [They said it with reference to the case of] one kind [mixed] with a different kind.
  - E How so? [How does the law yield a strict ruling in the case of like mixed with like, B]?
  - F Leaven of wheat [in the status of heave offering] which fell into wheat dough [which is common produce],
  - G and there is enough of it [the leaven] to leaven [the dough],
  - H whether there is [a quantity of heave offering which is] neutralized in one hundred and one [parts of common produce], or whether there is not [so little heave offering as is] neutralized in one hundred and one—
  - I it is forbidden [= strict ruling].
  - J [If] there is not [so little heave offering as is] neutralized in one hundred and one [parts of common produce],

- K whether there is enough of it to leaven [the dough], or whether there is not enough of it to leaven [the dough]—
- L it is forbidden [= strict ruling].
- **2:7** A To yield both a lenient and a strict ruling [in the case of] one kind [of produce mixed with produce of] its same kind [= M. 2:6C-D]." How so?
  - B For example, pounded beans [which are heave offering] which were cooked with lentils [which are common produce],
  - C and there are [enough] of them [the pounded beans] to give a flavor [to the lentils],
  - D whether there is [little enough heave offering] to be neutralized in one hundred and one, or whether there is not [so little heave offering as is] neutralized in one hundred and one—
  - E it is forbidden [= strict ruling].
  - F [If] there is not [enough] of them to impart flavor [to the lentils],
  - G whether there is [so little heave offering as is] neutralized in a hundred and one, or whether there is not [little enough heave offering] to be neutralized in a hundred and one—
  - H [the mixture] is permitted [as common food; = lenient ruling].
- **2:8** A Leaven of common produce which fell into dough,
  - B and there is enough of it to leaven [the dough],
    - C and afterwards [but before the dough had risen] leaven of heave offering or of *Diverse kinds* in a vineyard fell in,
    - D and there is enough of [this leaven] to leaven [the dough]—
    - E [the dough] is forbidden [under the restrictions pertaining to heave offering or *Diverse kinds*].
- **2:9** A [As regards] leaven of common produce which fell into dough
  - B and leavened it,
  - C and afterward leaven of heave offering or leaven of *Diverse kinds* in a vineyard fell in,
  - D and there is enough of this [leaven] to leaven [the dough]—
  - E [the dough] is forbidden.
  - F R. Simeon permits.
- **2:10** A [As regards] spices—
  - B [If] two or three [different] types [of prohibitions pertain] to one kind [of spice], or to three [distinct] kinds [of spices]—
  - C it is forbidden,
  - D for [the spices] join together [to render forbidden that which they flavor].
  - E R. Simeon says, "Two or three different types [of prohibitions which pertain] to one kind [of spice], or two [different] kinds [of spices subject] to one type [of prohibition] do not join together [to render forbidden the food which they flavor]."
- **2:11** A Leaven of common produce and [leaven] of heave offering which fell into dough,
  - B [and there is] not enough of either to leaven [the dough],
  - C [but] they combined and leavened [it]—
  - D R. Eliezer says, "I rule [on the status of the dough] according to the last [leaven which fell in]."
  - E But sages say, "Whether the prohibited [leaven] fell in first or last, it does not render [the dough] prohibited unless there is enough of it to leaven (by itself]."

- **2:12** A Yoezer of the Birah was one of the disciples of the House of Shammai, and he said, "I asked Rabban Gamaliel the Elder who was standing at the Eastern Gate [about the rule of M. 2:11A-C], and he said,
  - B "'It does not render [the dough] prohibited unless there is enough of it to leaven [by itself].'"
- **2:13** A [As regards leather] garments [such as sandals] which one greased with unclean oil and then greased with clean oil,
  - B or garments which one greased with clean oil and then greased with unclean oil—
  - C R. Eliezer says, "I rule [on the status of cleanness of the garments] according to the first [oil used]."
  - D But sages say, "According to the last [oil used]."
- **2:14** A Leaven of heave offering and [leaven] of *Diverse kinds* in a vineyard which fell into dough,
  - B [and] there is not enough of either to leaven [the dough],
  - C but they joined together and leavened [it]—
  - D [the dough] is forbidden to non-priests and permitted to priests.
  - E R. Simeon permits [it both to] non-priests and priests.
- **2:15** A [As for] spices of heave offering and [spices] of *Diverse kinds* in a vineyard which fell into a pot,
  - B [and] there is not enough of either to season [the food in the pot],
  - C but they joined together and seasoned it—
  - D [the food] is forbidden to non-priests and permitted to priests.
  - E R. Simeon permits [it both to] non-priests and priests.
- 2:16 A [As regards] a piece [of flesh] of Most Holy Things [which is permitted to priests but forbidden to non-priests], of refuse [which is forbidden to priests and non-priests alike; Lev. 7:15], and of remnant [which is forbidden to priest and non-priest alike; Lev. 7:16] [which alone were not of sufficient quantity to flavor other food, but] which [together] were cooked with [other, permitted] pieces [of flesh, and flavored them]—
  - B [the dish] is forbidden to non-priests and permitted to priests.
  - C R. Simeon permits [it to both] non-priests and priests.
- 2:17 A Flesh of Most Holy Things [which is forbidden to non-priests; M. Zeb. 5:4] and flesh of Lesser Holy Things [which is permitted to clean priests and non-priests; M. Zeb. 5:6–8] which were cooked with [with a quantity of] ordinary flesh sufficient to neutralize either of the types of meat alone but not together]—
  - B [the resultant dish] is forbidden to those who are unclean and permitted to those who are clean [it is deemed to have the status of Lesser Holy Things].
- **3:1** A A garment which one dyed with [dye made from] rinds of *orlah* [fruit] is to be burned.
  - B [If] it was mixed with other [permitted garments]—
  - C "All are to be burned," the words of R. Meir.
  - D But sages say, "It is neutralized in [a ratio of] one [forbidden garment] to two hundred (permitted ones]."

- **3:2** A One who dyes a sit's length [of thread] in [dye made from] rinds of *orlah* [fruit] and wove it into a garment,
  - B but it is not known which [of the garment's threads] it is—
  - C R. Meir says, "The garment must be burned."
  - D But sages say, "It is neutralized in [a ratio of] one [forbidden thread] to two hundred [permitted ones]."
- **3:3** A One who weaves into a garment a sit's length of wool from a firstling—
  - B the garment must be burned.
    - C And [if he weaves] a Nazirite's hair or hair from the firstborn of an ass [Ex. 13:13] into a sack—
    - D the sack must be burned.
    - E But in the case of [hair from other] Holy Things, it renders [the object into which it is woven] sanctified [prohibited] in any quantity whatsoever [even less than a sit's length].
- **3:4** A Food which one cooked [in an oven fired] with rinds of *orlah* [fruit] must be burned. B [If the food] was mixed with other [food], it is neutralized in [a ratio of one [part of forbidden food] to two hundred [parts of permitted food].
- **3:5** A An oven which they fired with rinds of *orlah* [fruit], and in which one baked bread—
  - B the bread is to be burned.
  - C [If the bread] was mixed with other [loaves of permitted bread] it is neutralized in [a ratio of] one [forbidden loaf] to two hundred [permitted loaves].
- **3:6** A Whoever had bunches of fenugreek that are [prohibited under the laws of *Diverse kinds* in a vineyard—
  - B [the bunches] must be burned.
  - C [If the bunches] were mixed with other [permitted bunches]—
  - D "All must be burned," the words of R. Meir.
  - E And sages say, "They are neutralized in [a ratio of] one [forbidden bunch] to two hundred [permitted bunches]."
- **3:7** A For R. Meir would say, "Whatever normally is counted [when being sold] renders [other food mixed with it] sanctified [forbidden, so that all of the food in the mixture must be burned]."
  - B But sages say, "Only six foods render [other foods] sanctified.
  - C And Aqiba says, "Seven [foods render others forbidden]."
  - D And these are they [sages' six foods]: (1) nuts from Perekh, (2) pomegranates from Baddan, (3) scaled jars [containing forbidden wine], (4) beet shoots, (5) cabbage stalks and (6) Greek gourds.
  - E R. Aqiba says, "Also (7) loaves [of bread] of a householder."
  - F To those [among these items] to which the (restrictions of] *orlah* are applicable [D 1–3], the [restrictions of] *orlah* [apply].
  - G To that to which the prohibition of *Diverse kinds* in a vineyard is applicable [D4–6, E7], the prohibition of *Diverse kinds* in a vineyard [applies].

- **3:8** A [If] (1) the nuts were split, (2) the pomegranates cut open, (3) the jars [of wine] opened, (4) the gourds cut into, or (5) the loaves broken into, they are neutralized in [a ratio of] one [part of forbidden produce] to two hundred [parts of permitted produce].
- **3:9** A [Fruit about which there is] a doubt [whether or not it is in the status] of *orlah*
  - B [if it is] in the Land of Israel [the fruit in question] is forbidden [deemed to have the status of *orlah*].
  - C But in Syria [the fruit] is permitted [not in the status of *orlah*].
  - D And outside of the Land [of Israel], one may go down [to the orchard] and purchase [such fruit],
  - E provided that he does not see him [the seller] pick [the fruit].
  - F [As to] a vineyard which was planted with vegetables [which are of *Diverse kinds*], and outside of [this vineyard] vegetables [of like kinds] are sold—
  - G [if it is] in the Land of Israel [the produce] is forbidden [under the law of *Diverse kinds*].
  - H But in Syria, it is permitted,
  - I And outside of the Land [of Israel], one may go down and buy [this produce],
  - J provided that he [the Israelite] does not pick [it] with his hand.
  - K [Consumption] in any locale [of] produce on behalf of which the *omer* has not yet been offered is forbidden by Scripture.
  - L And the [prohibition against eating produce which is] *orlah* (applies outside of the Land of Israel] by law.
  - M And [the prohibition against planting together] *Diverse kinds* [in a vineyard applies outside of the Land of Israel] by authority of the scribes.

# BIKKURIM

#### Margaret Wenig Rubenstein and David Weiner

- **1:1** A There are [those who] bring [the] firstfruits [of the produce of their land] and recite [the confession, "I declare this day ... "(Dt. 26:3–10)].
  - B those who bring [firstfruits] but do not recite,
  - C and there are [those] who do not bring [firstfruits at all].
  - D These are the [people] who do not bring [firstfruits]:
  - E tree and sinks it into the ground so that it grows on private [property] or on public [property, as an independent plant];
  - F (2) [as well as] he who bends [a branch of a tree which is growing] on private [property] or on public [property, and sinks the branch into the ground so that it grows] on his own [property];
  - G (3) he who plants [a tree] on his own [property] and bends [a branch of the tree and sinks it in the ground so that it still grows] on his own [property], but a private road or a public road [runs] in between [the tree and its offshoot],
  - H lo, this one does not bring [firstfruits from the offshoot].
  - I R. Judah says: "Such a one does bring [them]."
- **1:2** A For what reason does he not bring [them]?
  - B Because it is written, "[You shall bring] the first of the firstfruits of your land" (Dt. 26:2).
  - C [You may not bring firstfruits] unless all of their growth [takes place] on your land.

- D (1) Sharecroppers, (2) tenant farmers, (3) a holder of confiscated property, and (4) a robber
- E do not bring firstfruits,
- F for the same reason:
- G because it is written, "the first of the firstfruits of your land."
- **1:3** A They do not bring firstfruits [from any produce] other than the seven kinds [for which the land of Israel was noted, i.e., wheat, barley, grapes, figs, pomegranates, olives used for oil, and dates for honey (Dt. 8:8)],
  - B not from dates of the hill country,
  - C not from fruits of the valley,
  - D and not from olives [used for] oil which are not of the choicest kind.
  - E They do not bring firstfruits before Pentecost.
  - F The men of Mount Seboim brought their firstfruits before Pentecost.
  - G But [the priests] did not accept [firstfruits] from them,
  - H because of the verse that is in the Torah, "[You shall keep] the feast of the harvest [Pentecost] of the firstfruits of your labor which you sow in the field" (Ex. 23:16).
- **1:4** A These [people] bring [firstfruits] but do not recite:
  - B a proselyte brings but does not recite,
  - C because he is not able to say, "[I have come into the land] which the Lord swore to our fathers to give us," (Dt. 26:3).
  - D But if his mother was an Israelite, he brings and recites.
  - E And when he [the proselyte] prays in private, he says, "God of the fathers of Israel."
  - F And when he prays in the synagogue, he says, "God of your fathers."
  - G [But] if his mother was an Israelite, he says, "God of our fathers."
- **1:5** A R. Eliezer b. Jacob says, "A woman who is the daughter of proselytes may not marry a priest,
  - B unless her mother was an Israelite."
  - C The same [law] applies to proselytes and freed slaves,
  - D [and holds] even to the tenth generation:
  - E [she may not marry a priest] unless her mother is an Israelite [see M. Qid. 4:7].
  - F (1) An executor, (2) agent, (3) slave, (4) woman, (5) person of doubtful sex, and (6) an androgynous [person] bring [firstfruits] but do not recite,
  - G because they are not able to say, "[And behold, now I bring the first of the firstfruit of the ground], which you, O Lord have given me" (Dt. 26:10).
- **1:6** A He who buys two trees [that are growing] on [the property] of his fellow
  - B brings [firstfruits from those trees] but does not recite [over them].
  - C R. Meir says, "He brings and recites."
  - D [If] the spring [which irrigated the field] became dry, [or] the tree was cut down,
  - E he brings [firstfruits that were picked from that tree before it was cut down] but does not recite.
  - F R. Judah says, "He brings and recites."
  - G From Pentecost until the Festival [of Sukkot],
  - H he brings and recites.
  - I From the Festival until Hanukkah,
  - J he brings but does not recite.

- K R. Judah b. Beterah says, "He brings and recites."
- **1:7** A [If] he separated his firstfruits and [afterwards] sold his field,
  - B he brings [those firstfruits] but does not recite.
  - C And the other one [the one who bought the field]—
  - D from the same kind [of produce as was brought by the field's first owner], he does not bring [firstfruits]:
  - E from another kind of produce, [however], he brings [firstfruits] and recites.
  - F R. Judah says, "Even from the same kind, he brings and recites."
- **1:8** A [If] he separated his firstfruits,
  - B [and] they (1) were distributed as booty, (2) decayed, (3) stolen, (4) lost, (5) or if they became unclean,
  - C he brings other [produce] in their stead, but does not recite.
  - D And the substitutes [fruits brought in the place of others; lit.: second ones] are not subject to [the law of the] added fifth [M. Bik. 2:1, M. B.M. 4:8, Lev. 22:14].
  - E [If] they became unclean in the [Temple] court, he scatters [them on the ground, does not bring others in their place,] and does not recite.
- **1:9** A How do we know that he is responsible for [replacing] them [lost, stolen, decayed or unclean firstfruits] until he brings them to the Temple mount?
  - B For it is written, "The first of the firstfruits of your land, you shall bring to the house of the Lord your God" (Ex. 23:19),
  - C [which] teaches [us] that he is responsible for [replacing] them until he has brought them to the Temple mount.
  - D Lo, if he brought [firstfruits] from one kind [of produce], and recited, and [then] he went and brought (firstfruits] from another kind does not recite [a second time].
- **1:10** A And these [people] bring [firstfruits] and recite:
  - B [Those who bring firstfruits](1) from Pentecost until the Festival [of Sukkot],
    - (2) from the seven kinds [of produce native to the Land of Israel],
      - (3) from fruit of the hill country,
      - (4) from dates of the valley, [and]
      - (5) from olives [used] for oil [that grow] in Transjordan.
  - C R. Yose the Galilean says, "They do not bring firstfruits from [produce grown in] Transjordan, for [Transjordan] is not a land flowing with milk and honey [Dt. 26:15]."
- **1:11** A He who buys three trees [that are growing] on [the property] of his fellow brings [firstfruits from those trees] and recites.
  - B R. Meir says, "Even if [he buys only] two [trees, he brings and recites]."
  - C [If] he bought a tree and the ground [on which it grows], he brings and recites.
  - D R. Judah says, "Even sharecroppers and tenant farmers, [who do not own the land on which their produce grows], bring [firstfruits] and recite."
- **2:1** A Heave offering and firstfruits—
  - B (1) [non-priests] are liable on their account [to suffer the] death [penalty, if they eat them intentionally], or [for restoring the principal and an] added fifth [if they eat them unintentionally; M. Hal. 1:9].

- C (2) And [they] are forbidden [as food] to commoners [non-priests].
- D (3) And they are the property of the priests [M. Bik. 3:12].
- E (4) And they are neutralized [they become deconsecrated when mixed with unconsecrated produce] in [a ratio of] one [part of heave offering or firstfruits] to one hundred [parts of unconsecrated produce; M. Ter. 4:7].
- F (5) And [before they may be eaten], they require washing of the hands, and [in the case of one who has contracted uncleanness and immersed on that same day], the setting of the sun.
- G Lo, these [are restrictions which apply] to heave offering and to firstfruits but [which do] not [apply] to tithes.
- **2:2** A There are [restrictions which apply] to [second] tithe and to firstfruits which [do] not [apply] to heave offering.
  - B For [second] tithe and firstfruits
  - C (1) require bringing [to the] place [Jerusalem];
  - D (2) and they require [the recitation of the appropriate] confession;
  - E (3) and they are prohibited [for consumption] by a mourner [whose dead relative has not yet been buried; Dt. 26:14, M. M.S. 5:8].
  - F R. Simeon permits [such mourners to eat firstfruits].
  - G (4) And they are subject to [the law of] removal [Dt. 26:12ff., M. M.S. 5:6].
  - H R. Simeon exempts [firstfruits from the law of removal] (T. Bik. 1:7, M. M.S. 5:6).
  - I (5) And in Jerusalem—[if they are mixed with unconsecrated produce] in any [portion], they [still] are forbidden for consumption [M. Or. 2:1],
  - J (6) and in Jerusalem—[if they are used as seed], that which grows from them is prohibited for consumption,
  - K [and this prohibition applies] also to commoners [in the case of firstfruits] and to cattle [in the case of second tithe].
  - L R. Simeon permits [the consumption, by commoners or cattle, of that which is mixed in Jerusalem with second tithe or firstfruits and that which grows in Jerusalem from second tithe or firstfruits].
  - M Lo, these [are restrictions which apply] to [second] tithe and to firstfruits which [do] not [apply] to heave offering.
- **2:3** A There are [restrictions which apply] to heave offering and to tithe which [do] not [apply] to firstfruits.
  - B For heave offering and tithe
  - C (1) [which have not yet been separated] render prohibited [for consumption that which is on] the threshing floor [produce that had been completely processed];
  - D (2) and they have a [prescribed] quantity [M. Pe. 1:1, M. Ter. 4:3];
  - E (3) and [the laws governing them] are binding on any [kind of] produce;
  - F (4) [and these laws are binding] whether or not the Temple is standing;
  - G (5) and [they are separated] by sharecroppers, tenant farmers, holders of confiscated property, and by robbers [M. Ter. 1:1, M. M.S. 5:4, M. Bik. 1:2].
  - H Lo, these are [rules which apply] to heave offering and to tithe but [do] not [apply] to firstfruits.
- **2:4** A And there are [restrictions which apply] to firstfruits which [do] not [apply] to heave offering and tithe.
  - B For firstfruits

- C (1) are acquired [designated as firstfruits] while [they are still] attached to the ground [unharvested] [M. Bik. 3:11;
- D (2) and a person may designate his entire field [as] firstfruits [M. Ter. 4:5, Hal. 1:9];
- E (3) and he is responsible for [replacing] them [those firstfruits which he has separated but could not offer; M. Bik. 1:8–9];
- F (4) and they require a [peace] offering [from the landowner; M. Bik. 3:3], singing [by the Levites; M. Bik. 3:4], waving [by the priest before the altar; M. Bik. 3:6], and staying overnight [in Jerusalem by the landowner; Dt. 16:7].
- **2:5** A Heave offering of the tithe is like firstfruits in two ways and [like] heave offering in two ways.
  - B (1) It is taken from clean [produce] for unclean [produce] [M. Ter. 2:1–2, M. Hal. 1:9],
  - C (2) and [it is designated from produce] which is not in the same location [as the produce requiring the separation of heave offering; M. Ter. 2:1, M. Hal. 1:9],
  - D like firstfruits.
  - E (1) But [before it is separated], it renders forbidden [for consumption that which is on] the threshing floor [M. Bik. 2:3],
  - F (2) and it has a [prescribed] quantity,
  - G. like heave offering [M. Bik. 2:3].
- **2:6** A A citron [tree] is like a tree in three ways, and like a vegetable in one way.
  - B It is like a tree in [the laws] (1) [of] *orlah*, (2) the Fourth [Year], and (3) the Seventh [Year].
    - C And [it is like] a vegetable [in one way]:
    - D "that it is tithed in accordance with the year in which it is picked"—the words of Rabban Gamaliel.
    - E R. Eliezer says, "It is like a tree in every way."
- **2:7** A Human blood [lit.: the blood of those who walk on two legs] is like the blood of a domesticated animal [in that it is able] to render seeds [susceptible to uncleanness; Lev. 7:26, 11:34, M. Mak. 6:4].
  - B And [human blood is like] the blood of a reptile [in that people who drink it] are not liable [to extirpation] on its account [Lev. 11:29ff, M. Mak. 6:5].
- **2:8** A A *koy* [a beast that falls into the taxon of a wild beast and also into that of a domesticated beast]—
  - B There are ways in which it is like a wild animal,
  - C and there are ways in which it is like a domesticated animal;
  - D and there are ways in which it is like [both] a domesticated animal and a wild animal;
  - E and there are ways in which it is like neither a domesticated animal nor a wild animal.
- **2:9** A In what way is [a *koy*] like a wild animal?
  - B (1) Its blood must be covered up like the blood of a wild animal [Lev. 17:13, M. Hul. 6:1ff.].
  - C (2) And they may not slaughter it on a festival.
  - D But if one slaughters it [on a festival], they do not cover up its blood [M. Bes. 1:2, M. Ed. 4:2].

- E (3) And its fat conveys carrion uncleanness like [the fat of] a wild animal [Lev. 7:24, M. Uqs. 3:9].
- F But its [own] uncleanness is in doubt.
- G And they do not redeem with it the firstborn of an ass [Ex. 13:13, M. Bek. 1:5].
- **2:10** A In what way is [a *koy*] like a domesticated animal?
  - B (1) Its fat is forbidden [for consumption] as [is] the fat of a domesticated animal [Lev. 7:251.
  - C But [those who eat it] are not subject to extirpation on its account [M. Ker. 1:1].
  - D (2) And [the *koy*] may not be bought with [second]—tithe funds for consumption in Jerusalem [M. M.S. 1:3].
  - E (3) And it is subject to [the priests' due of] the shoulder, cheeks, and stomach [Dt. 18:3, M. Hul. 10:1].
  - F R. Eliezer exempts [it from the priests' due],
  - G for the one who makes a claim on his fellow—upon [the claimant lies] the [burden of] proof (a priest who claims a share from a *koy* must prove that the *koy* is a domesticated animal].
- 2:11 A In what way is [a *koy*] like neither a domesticated animal nor a wild animal?
  (1) It is forbidden under [the laws of] *Diverse kinds* [to yoke it] either with a wild animal
  - or with a domesticated animal [M. Kil. 1:6, 8:4].
    C (2) One who wills his wild animal or his domesticated animal to his son has not willed him a *kov*.
  - D (3) If one said, "Lo, may I be a Nazirite if this [animal] is a wild animal or a domesticated animal, [lo, he is a Nazirite] [M. Naz. 5:7].
  - E But in all other ways, [the *koy*] is like [both] a wild animal and a domesticated animal.
  - F And [thus] (1) it requires [ritual] slaughter [before it may be eaten] like both the wild animal and the domesticated animal [lit.: like this one and that one].
  - G And (2) it conveys uncleanness on account of [the laws of] the carrion and on account of [the laws of] a limb [cut off] from a living animal, as [do] both the wild and the domesticated animal [Lev. 11:8, M. Oh. 2:1].
- **3:1** A How do [landowners] separate firstfruits [from the rest of their produce]?
  - B [When] a man goes down to his field and sees (1) a fig that has begun to ripen, (2) a grape cluster that has begun to ripen, or (3) a pomegranate that has begun to ripen,
  - C he binds it with a reed
  - D and says, "Lo, these are firstfruits."
  - E R. Simeon says, "Even if [a man follows this procedure], he redesignates them firstfruits
  - F after they have been plucked from the ground [harvested]."
- **3:2** A How do they bring the firstfruits up [to the Temple]?
  - B [The male inhabitants of] all the towns in the priestly course gather in the [main] town of the priestly course [M. Ta. 4:2],
  - C and they sleep [outside] in the open area of the town
  - D and they would not enter the houses [in the town, for fear of contracting corpse uncleanness].
  - E And at dawn, the officer would say,
  - F "Arise, and let us go up to Zion, to [the house of] the Lord our God (Jer. 31:6)."

- **3:3** A Those [who come] from nearby bring figs and grapes,
  - B but those [who come] from afar bring dried figs and raisins.
  - C And an ox walks before them,
  - D its horns overlaid with gold,
  - E and a wreath of olive [leaves] on its head.
  - F A flutist plays before them until they arrive near Jerusalem.
  - G [Once] they arrived near Jerusalem, they sent [a messenger] ahead of them [to announce their arrival], and they decorated their firstfruits.
  - H The high officers, chiefs, and treasurer [of the Temple] come out to meet them.
  - I According to the rank of the entrants, they would [determine which of these officials would] go out.
  - J And all the craftsmen of Jerusalem stand before them and greet them, [saying],
  - K "Brothers, men of such and such a place, you have come in peace."
- **3:4** A flutist plays before them, until they reach the Temple mount.
  - B [Once] they reached the Temple mount,
    - C Even Agrippa the King puts the basket [of firstfruits] on his shoulder, and enters, [and goes forth] until he reaches the Temple court.
    - D [Once] he reached the Temple court, the Levites sang the song,
    - E "I will extol thee, O Lord, for thou hast drawn me up, and hast not let my foes rejoice over me" (Ps. 30:1).
- **3:5** A The pigeons that [were] on top of the baskets were [sacrificed as] burnt offerings,
  - B but [the pigeons] which are in their hands are given [as a gift] to the priests.
- **3:6** A While the basket is still on his shoulder, he recites [the entire confession of firstfruits, beginning] from the words "I declare this day to the Lord your God" (Dt. 26:3),
  - B [and proceeding] until he finishes the entire passage.
  - C R. Judah says, "[While the basket is on his shoulder, he recites only] up to [the second part of the confession, which begins with the words,] 'A wandering Aramean was my father' (Dt. 26:6)."
  - D "[Once] he [has] reached [the words] 'A wandering Aramean was my father,'
  - E he takes the basket down from his shoulder, and holds it by its rim,
  - F and a priest puts his hand beneath [the basket], and waves it [before the altar].
  - G And (then the Israelite] recites [the second part of the confession, beginning] from (the words], 'A wandering Aramean was my father,' [and proceeding] until he finishes the entire passage."
  - H And [then] he places [the basket] beside the altar, and he bows down and departs.
- **3:7** A At first [the law specified that]
  - B anyone who knows [how] to read, should recite [the passage of the confession unassisted],
  - C but [as for] anyone who does not know [how] to read—[the priests] lead him through the reading.
  - D [When sages saw that those who could not read] refrained from bringing [firstfruits to the Temple, they] ordained that
  - E [the priests] would lead through the reading [both] those who know [how to read] and those who do not know [how to read].

- **3:8** A The rich bring their firstfruits [to the Temple] in baskets of silver and gold.
  - B But the poor bring them in baskets made of peeled willow branches.
  - C And [both] the baskets and the firstfruits are given to the priests.
- **3:9** A R. Simeon b. Nanos says, "[The landowners] may decorate the firstfruits [with any produce] other than the seven kinds [of produce for which the Land of Israel was noted, i.e., wheat, barley, grapes, figs, pomegranates, olives used for oil, and dates used for honey (M. Bik. 1:3)]."
  - B R. Aqiba says, "They may not decorate the firstfruits [with any produce] other than the seven kinds [of produce for which the Land of Israel was noted]."
- **3:10** A R. Simeon says, "Three [different] types [of produce make up the offering] of firstfruits: (1) "the firstfruits [themselves, i.e., the first produce that ripens in the field (M.Bik. 3:1A], (2) "the supplement of firstfruits [additional produce which the landowner designates as firstfruits (M. 2:4D)], and

(3) "the decorations [that bedeck] the firstfruits (M. Bik. 3:3D)."

- B [As for] the supplement of firstfruits— [it must be comprised of] the same kinds [of produce as the firstfruits themselves].
- C But [as for] the decorations [that bedeck] the firstfruits—[they must be] different kinds [of produce from the firstfruits themselves].
- D The supplement of firstfruits must be consumed in [cultic] cleanness, and it is exempt from the [laws that apply to] doubtfully tithed produce.
- E But the decorations [that bedeck] the firstfruits are subject to [the laws that apply to] doubtfully tithed produce.
- **3:11** A Under what circumstances have [sages] said [that] the supplement of firstfruits [has the same status] as the firstfruits [themselves] [M. Bik. 3:10]?
  - B When [the supplement of firstfruits consists of produce that] comes from the Land [of Israel].
  - C But if (the supplement consists of produce which] does not come from the Land [of Israel, it is] not [in the same status] as the firstfruits [themselves].
- **3:12** A Why have sages said, "The firstfruits are like the property of the priest" [M. Bik. 2:1].
  - B Because [the priest] may use them to purchase (1) slaves, (2) real estate, or (3) an unclean animal [M. M.S. 1:7],
  - C and a creditor may extract them in [payment for the priest's] debt,
  - D and the [ex]-wife [of a priest may take them in payment of the alimony which is specified] in her marriage contract,
  - E just as [they may take] a Torah scroll [in payment].
  - F R. Judah says, "[Israelites] may give [firstfruits] only to [a priest who is] an associate [one who is scrupulous in preserving the cleanness of foodstuffs], as a [personal] favor" [M. Hal. 4:9].
  - G But sages say, "They must give [firstfruits] to [all] the [members of the] priestly guard [to all the priests on duty in the Temple, including those who are not associates], and [the priests] divide [the firstfruits] among themselves as [they do with] the Holy Things of the Temple" [M. Yom. 3:9].

# The Second Division Appointed Times

## SHABBAT

1:1		А	[Acts of] transporting objects from one domain to another [which violate] the Sabbath
			(1) are two, which [indeed] are four [for one who is] inside,
			(2) and two which are four [for one who is] outside.
		В	How so?
	Ι	С	[If on the Sabbath] the beggar stands outside and the householder inside,
		D	[and] the beggar stuck his hand inside and put [a beggar's bowl] into the hand of the householder,
		E	or if he took [something] from inside it and brought it out,
		F	the beggar is liable, the householder is exempt.
	II	G	[If] the householder stuck his hand outside and put [something] into the hand of the beggar,
		Η	or if he took [something] from it and brought it inside,
		Ι	the householder is liable, and the beggar is exempt.
	III	J	[If] the beggar stuck his hand inside, and the householder took [something] from it,
		Κ	or if [the householder] put something in it and he [the beggar] removed it,
		L	both of them are exempt.
	IV	Μ	[If] the householder put his hand outside and the beggar took [something] from it,
		Ν	or if [the beggar] put something into it and [the householder] brought it back inside,
		0	both of them are exempt.
1:2	А		n should not sit down before the barber close to the afternoon [prayer],
	В		s he has already prayed.
	С	Nor [at that time] should a man go into a bathhouse or into a tannery,	
	D		eat, nor to enter into judgment.
	E	But if they began, they do not break off [what they were doing].	
	F	•	do break off [what they were doing] to pronounce the recitation of <i>the Shema</i> .
	G	But tl	hey do not break off [what they were doing] to say the Prayer.
1:3	А	A tail	or should not go out carrying his needle near nightfall,
	В	lest he forget and cross [a boundary];	
	С	nor a	scribe with his pen.
	D		[on the Sabbath] one should not search his clothes [for fleas], or read by the light of a
		lamp.	
	E	None	theless they state:
	F		he Sabbath] a teacher sees [by the light of a lamp] where the children are reading, but
		he do	es not read.
	G	Simil	arly:
	Н		n-Zab should not eat a meal with a woman-Zab,

- I because it leads to transgression.
- **1:4** A These are some of the laws which they stated in the upper room of Hananiah b. Hezekiah b. Gurion when they went up to visit him.
  - B They took a vote, and the House of Shammai outnumbered the House of Hillel.
  - C And eighteen rules did they decree on that very day.
- **1:5** I A The House of Shammai say, "They do not [on Friday afternoon] soak ink, dyestuffs, or vetches, unless there is sufficient time for them to be [fully] soaked while it is still day."
  - B And the House of Hillel permit.
- **1:6** II A The House of Shammai say, "They do not put bundles of [wet] flax into the oven, unless there is time for them to steam off while it is still day.
  - B "And [they do not put] wool into the cauldron, unless there is sufficient time for it to absorb the color [while it is still day]."
  - C And the House of Hillel permit.
  - III D The House of Shammai say, "They do not spread out nets for wild beasts, fowl, or fish, unless there is sufficient time for them to be caught while it is still day."
    - E And the House of Hillel permit.
- **1:7** IV A The House of Shammai say, "They do not sell [anything] to a gentile or bear a burden with him,
  - B "and they do not lift up a burden onto his back,
  - C "unless there is sufficient time for him to reach a nearby place [while it is still day]."
  - D And the House of Hillel permit.
- **1:8** V A The House of Shammai say, "They do not give hides to a [gentile] tanner,
  - B "or clothing to a gentile laundryman,
  - C "unless there is sufficient time for them to be done while it is still day."
  - D And in the case of all of them,
  - E the House of Hillel permit,
  - F while the sun is still shining.
- **1:9** A Said Rabban Simeon b. Gamaliel, "The household of father had the habit of giving white clothes to a gentile laundryman three days before the Sabbath."
  - B And these and those concur that they lay down olive press beams and winepress rollers.
- **1:10** A They do not roast meat, onions, and eggs, unless there is time for them to be roasted while it is still day.
  - B They do not put bread into an oven at dusk,
  - C nor cakes on the coals,
  - D unless there is time for them to form a crust [even] on the top surface while it is still day.
  - E R. Eliezer says, "Sufficient time for its bottom surface [only] to form a crust."

- **1:11** A They lower the Passover offering into an oven at dusk [when the fourteenth of Nisan falls on a Friday].
  - B And they light the fire in the fireplace of the House of the Hearth [M. Tam. 1:2].
  - C But in the provinces, [they do so only if] there is sufficient time for the flame to catch over the larger part of [the wood].
  - D R. Judah says, "In the case of charcoal [one may light the fire if there is time for the fire to catch] any quantity [of charcoal] whatsoever."
- **2:1** A With what do they kindle [the Sabbath light] and with what do they not kindle [it]?
  - B They do not kindle with (1) cedar fiber, (2) uncarded flax, (3) raw silk, (4) wick of bast, (5) wick of the desert, (6) or seaweed;
  - C or with (1) pitch, (2) wax, (3) castor oil, (4) oil [given to a priest as heave offering which had become unclean and must therefore be] burned, (5) [grease from] the fat tail, or (6) tallow.
  - D Nahum the Mede says, "They kindle [the Sabbath lamp] with melted tallow."
  - E And sages say, "All the same is that which is melted and that which is not melted: they do not kindle with it."
- **2:2** A They do not kindle [a light] for the festival day with [heave offering] oil [which had become unclean and must be] burned.
  - B R. Ishmael says, "They do not kindle [the Sabbath lamp] with tar,
  - C "because of the honor owing to the Sabbath."
  - D And sages permit all kinds of oils:
  - E (1) sesame oil, (2) nut oil, (3) fish oil, (4) colocynth oil, (5) tar, and (6) naphtha.
  - F R. Tarfon says, "They kindle only with olive oil."
- **2:3** A With nothing which exudes from a tree do they light [the Sabbath light], except for flax.
  - B And nothing which exudes from a tree contracts uncleanness [as a Tent] through overshadowing [a corpse] except for flax.
    - C A wick made of cloth which one twisted but did not singe—
    - D R. Eliezer says, "It is susceptible to uncleanness, and they do not kindle [the Sabbath lamp] with it."
    - E R. Aqiba says, "It is insusceptible to uncleanness, and they do kindle [the Sabbath lamp] with it."
- **2:4** A A person should not pierce an eggshell with oil and put it on the opening of a lamp so that [the oil] will drip [out and sustain the lamp],
  - B even if it is made out of earthenware,
  - C and R. Judah permits [doing so].
  - D But if the potter joined it to begin with [to the lamp], it is permitted,
  - E because it is one utensil.
  - F A person may not fill a dish with oil and put it beside a lamp and place the head of the wick into it,
  - G so that it will draw [oil from the dish of oil].
  - H And R. Judah permits [doing so].
- **2:5** A He who puts out a lamp because he is afraid of gentiles, thugs, a bad spirit,
  - B or if it is so that a sick person might sleep,

- C is exempt [from liability to punishment].
- D [If he did so], to spare the lamp, the oil, the wick,
- E he is liable.
- F And R. Yose exempts [him from liability to punishment] in all instances except for [one who does so to spare] the wick,
- G because he [thereby] makes [it into] charcoal.
- **2:6** A On account of three transgressions do women die in childbirth:
  - B because they are not meticulous in the laws of (1) menstrual separation, (2) in [those covering] the dough offering, and (3) in [those covering] the kindling of a lamp [for the Sabbath].
- **2:7** A Three things must a man state in his house on the eve of Sabbath at dusk:
  - B (1) "Have you tithed?"
  - C (2) "Have you prepared the *erub?*"
  - D (3) "[Then] kindle the lamp [for the Sabbath]."
  - E [If] it is a matter of doubt whether or not it is getting dark,
  - F (1) they do not tithe that which is certainly untitled,
  - G (2) and they do not immerse utensils,
  - H (3) and they do not kindle lamps.
  - I (1) But they do tithe that which is doubtfully tithed produce,
  - J (2) and they do prepare the *erub*,
  - K (3) and they do cover up what is to be kept hot.
- **3:1** I A A double stove which [people] have heated with stubble or straw
  - B they put cooked food on it.
    - C [But if they heated it] with peat or with wood, one may not put [anything] on it until he has swept it out,
    - D or until he has covered it with ashes.
    - E The House of Shammai say, "Hot water but not cooked food [may one put on it on the eve of the Sabbath]."
    - F And the House of Hillel say, "Hot water and cooked food."
    - G The House of Shammai say, "[On the Sabbath] they take off [hot water placed thereon], but they do not put it back."
    - H And the House of Hillel say, "Also: they put it back."
- **3:2** II A An oven which [people] have heated with stubble or with straw— one should not put anything either into it or on top of it.
  - III B A single stove which [people] have heated with stubble or with straw, lo, this is equivalent to a double stove.
    - C [If they heated it] with peat or with wood, lo, it is equivalent to an oven.
- **3:3** A They do not put an egg beside a kettle [on the Sabbath] so that it will be cooked.
  - B And one should not crack it into [hot] wrappings.
  - C And R. Yose permits.
  - D And one should not bury it in sand or in road dirt so that it will be roasted.

- **3:4** A M'SH S: The people of Tiberias brought a pipe of cold water through a spring of hot water.
  - B Sages said to them, "If [this was done] on the Sabbath, [the water] is in the status of hot water which has been heated on the Sabbath [itself
  - C "It is prohibited for use in washing and in drinking.
  - D "[If this was done] on the festival day, [the water] is in the status of hot water which has been heated on the festival day.
  - E "It is prohibited for use in washing, but permitted for use in drinking."
  - F A *milliarum* which is clear of ashes—they drink from it on the Sabbath.
  - G An *antikhi* [boiler], even though it is clear of ashes—they do not drink from it.
- **3:5** A A kettle [containing hot water] which one removed [from the stove]
  - B one should not put cold water into it so that it [the cold water] may get warm.
  - C But one may put [enough cold water] into it or into a cup so that [the hot water] will cool off.
  - D The pan or pot which one has taken off the stove while it is boiling—
  - E one may not put spices into it.
  - F But he may put [spices] into [hot food which is] in a plate or a dish.
  - G R. Judah says, "Into anything may one put [spices], except what has vinegar or fish brine [in it]."
- **3:6** A [On the Sabbath] they do not put a utensil under a lamp to catch the oil.
  - B But if one put it there while it is still day, it is permitted.
  - C But they do not use any of that oil [on the Sabbath],
  - D since it is not something which was prepared [before the Sabbath for use on the Sabbath].
  - E They carry a new lamp, but not an old one.
  - F R. Simeon says, "Any sort of lamp do they carry, except for a lamp which is burning
  - G "on the Sabbath."
  - H They put a utensil under a lamp to catch the sparks.
  - I But [on the Sabbath] one may not put water into it,
  - J because he thereby puts out [the sparks].
- **4:1** A With what do they cover [up food to keep it hot], and with what do they not cover up [food to keep it hot]?
  - B They do not cover with (1) peat, (2) compost, (3) salt, (4) lime, or (5) sand,
  - C whether wet or dry.
  - D or with (6) straw, (7) grape skins, (8) flocking [rags], or (9) grass,
  - E when wet.
  - F But they do cover up [food to keep it hot] with them when they are dry.
  - G They cover up [food to keep it hot] with (1) cloth, (2) produce, (3) the wings of a dove, (4) carpenters' sawdust,
  - H and (5) soft hackled flax.
  - I R. Judah prohibits in the case of soft [hackled flax] and permits in the case of coarse [hackled flax].
- **4:2** A They cover up [food to keep it hot] with fresh hides, and they carry [handle] them;
  - B with wool shearings, but they do not carry them.
  - C What does one do?

- D He [simply] takes off the cover, and [the wool shearings] fall off [on their own].
- E R. Eleazar b. Azariah says, "A basket [holding a pot and shearings] does he turn onto its side, and he removes (the food],
- F "lest he should take it and not be able to put it back."
- G And sages say, "He takes [out the food] and puts it back."
- H [If] he did not cover up [the food] while it is still day, he should not cover it up after dark.
- I [But if] he covered it up and it became uncovered, it is permitted to cover it up again.
- J One fills a jug [on the Sabbath with cold food or liquid] and puts it under a pillow or a blanket [to keep it cool].
- **5:1** A With what does a beast [Ex. 20:10] go out [on the Sabbath], and with what does it not go out?
  - B (1) A camel goes out with its curb, (2) a female camel with its nose ring, (3) a Libyan ass with its bridle, (4) and a horse with its chain.
  - C And all beasts which wear a chain go out with a chain and are led by a chain, and they sprinkle on the [chains if they become unclean] and immerse them in place [without removing them].
- **5:2** A An ass goes out with its saddle cloth when it is tied on to him [before the Sabbath].
  - B Rams go out strapped up [at the male organ].
  - C And female [sheep] go forth (1) strapped over their tails, (2) under their tails, or (3) wearing protective cloths.
  - D And goats go forth [with] bound [udders].
  - E R. Yose prohibits in the case of all of them,
  - F except for the case of ewes wearing protective cloths.
  - G R. Judah says, "Goats go forth with bound udders to keep them dry, but not to collect the milk."
- **5:3** A And with what does [a beast] not go out?
  - B (1) A camel does not go out with a pad, nor (2) with forelegs bound together [or: hind legs bound together] or (3) with a hoof tied back to the shoulder.
  - C And so is the rule for all other beasts.
  - D One should not tie camels to one another and lead them.
  - E But one puts the ropes [of all of them] into his hand and leads them,
  - F so long as he does not twist [the ropes together].
- **5:4** A (1) An ass does not go out with its saddle cloth when it is not tied to him [cf. M. 5:2A],
  - B or with a bell, even though it is plugged,
  - C or with the ladder yoke around its neck,
  - D or with a strap on its leg.
  - E And (2) fowl do not go forth with ribbons or straps on their legs.
  - F And (3) rams do not go forth with a wagon under their fat tail.
  - G And (4) ewes do not go forth protected [with the wood chip in their nose (B. Shab. 54b)].
  - H And (5) a calf does not go out with its rush yoke.
  - I or (6) a cow with a hedgehog skin [tied around the udder], or with a strap between its horns.
  - J The cow of R. Eleazar b. Azariah would go out with a strap between its horns,
  - K not with the approval of the sages.

- **6:1** A With what does a woman go out, and with what does she not go out?
  - B A woman should not go out with (1) woolen ribbons, (2) flaxen ribbons, or (3) with bands around her head—
  - C (and she should not immerse [when dressed] in them unless she loosens them—)
  - D (4) or with a headband, (4) head bangles, when they are not sewn on, (6) or with a hairnet,
  - E into the public domain.
  - F Nor [should she go out] (1) with a [tiara in the form of] a golden city, (2) a necklace, (3) nose rings, (4) a ring lacking a seat, or (5) a needle lacking a hole.
  - G But if she went out [wearing any one of these] she is not liable for a sin offering.
- 6:2 A A man should not go out with (1) a nail-studded sandal, (2) a single sandal if he has no wound on his foot, (3) *tefillin*, (4) an amulet when it is not by an expert, (5) a breastplate, (6) a helmet, or (7) with greaves.
  - B But if he went out [wearing any one of these], he is not liable to a sin offering.
- **6:3** A A woman should not go out with (1) a needle which has a hole [M. 6:1F5], (2) with a ring which has a seal [M. 6:1F4], (3) with a cochlae brooch, (4) with a spice box, or (5) with a perfume flask.
  - B "And if she went out, she is liable to a sin offering," the words of R. Meir [cf. M. 6:1G].
  - C And sages declare [her] exempt in the case of a spice box and a perfume flask.
- **6:4** A man should not go out with (1) a sword, (2) bow, (3) shield, (4) club, or (5) spear.
  - B And if he went out, he is liable to a sin offering.
  - C R. Eliezer says, "They are ornaments for him."
  - D And sages say, "They are nothing but ugly,
  - E "since it is said, And they shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up sword against nation, neither shall they learn war any more (Is. 2:4)."
  - F A garter is insusceptible to uncleanness, and they go out in it on the Sabbath.
  - G Ankle chains are susceptible to uncleanness, and they do not go out in them on the Sabbath.
- **6:5** A A woman goes out in hair ribbons, whether made of her own hair or of the hair of another woman or of a beast;
  - B and with (1) headband, (2) head bangles sewn [on the headdress] [vs. M. 6:1D4,5], (3) a hairnet, and (4) false locks,
  - C in the courtyard;
  - D (1) with wool in her ear, (2) wool in her sandals, (3) wool she has used for napkin for her menstrual flow;
  - E (1) pepper, (2) a lump of salt, and (3) anything she puts into her mouth,
  - F on condition that she not first put it there on the Sabbath.
  - G And if it fell out, she may not put it back.
  - H A false tooth and a gold tooth—
  - I Rabbi permits.
  - J And sages prohibit.
- **6:6** A She goes out with a *sela* coin on a bunion.
  - B Little girls go out with threads and even ships in their ears.

- C Arabian women go out veiled.
- D Median women go out with cloaks looped up over their shoulders.
- E And [so is the rule] for any person, but sages spoke concerning prevailing conditions.
- **6:7** A She weights her cloak with a stone, a nut, or a coin,
  - B on condition that she not attach the weight first on the Sabbath.
- **6:8** A "A cripple [lacking a leg] goes forth with his wooden stump," the words of R. Meir.
  - B And R. Yose prohibits it.
  - C And if it has a receptacle for pads, it is susceptible to uncleanness.
  - D His kneepads (1) are susceptible to uncleanness imparted by pressure [to something upon which a *Zab* may lie or sit], (2) they go forth with them on the Sabbath, and (3) they go into a courtyard with them.
  - E His chair and its pads (1) are susceptible to uncleanness imparted by pressure, (2) they do not go out with them on the Sabbath, and (3) they do not go in with them into a courtyard.
  - F An artificial arm is insusceptible to uncleanness, and they do not go out in it.
- **6:9** A Boys go out in garlands, and princes with bells.
  - B [And so is the rule] for any person, but sages spoke concerning prevailing conditions.
- **6:10** A "They go out with (1) a locust's egg, (2) a fox's tooth, (3) a nail from the gallows of an impaled convict, for purposes of healing," the words of R. Meir.
  - B And sages say, "Even on a weekday it is prohibited [to go forth with such objects],
  - C "because of the 'ways of the Amorite' [which Israelites are not to adopt]."
- 7:1 A A general rule did they state concerning the Sabbath:
  - I B Whoever forgets the basic principle of the Sabbath and performed many acts of labor on many different Sabbath days is liable only for a single sin offering.
    - II C He who knows the principle of the Sabbath and performed many acts of labor on many different Sabbaths is liable for the violation of each and every Sabbath.
    - III D He who knows that it is the Sabbath and performed many acts of labor on many different Sabbaths is liable for the violation of each and every generative category of labor.
      - E He who performs many acts of labor of a single type is liable only for a single sin offering.
- 7:2 A The generative categories of acts of labor [prohibited on the Sabbath] are forty less one:
  B (1) he who sews, (2) ploughs, (3) reaps, (4) binds sheaves, (5) threshes, (6) winnows, (7) selects [fit from unfit produce or crops], (8) grinds, (9) sifts, (10) kneads, (11) bakes;
  - C (12) he who shears wool, (13) washes it, (14) beats it, (15) dyes it;
  - D (16) spins, (17) weaves,
  - E (18) makes two loops, (19) weaves two threads, (20) separates two threads;
  - F (21) ties, (22) unties,
  - G (23) sews two stitches, (24) tears in order to sew two stitches;
  - H (25) he who traps a deer, (26) slaughters it, (27) flays it, (28) salts it, (29) cures its hide, (30) scrapes it, and (31) cuts it up;
  - I (32) he who writes two letters, (33) erases two letters in order to write two letters;
  - J (34) he who builds, (35) tears down;

- K (36) he who puts out a fire, (37) kindles a fire;
- L (38) he who hits with a hammer; (39) he who transports an object from one domain to another—
- M lo, these are the forty generative acts of labor less one.
- **7:3** A And a further general rule did they state:
  - B Whatever is suitable for storage, which people generally store in such quantity as one has taken out on the Sabbath—
  - C he is liable to a sin offering on its account.
  - D And whatever is not suitable for storage, which people generally do not store in such quantity as one has taken out on the Sabbath—
  - E only he is liable on its account who stores it away [and who then takes it out].
- 7:4 A He who takes out a quantity of (1) straw sufficient for a cow's mouthful; (2) pea stalks sufficient for a camel's mouthful; (3) ears of grain sufficient for a lamb's mouthful; (4) grass sufficient for a kid's mouthful; (5) garlic or onion leaves, ([if] fresh, a dried fig's bulk), [and if] dry, sufficient for a kid's mouthful—
  - B [Supply: he is liable,]
  - C and they do not join together with one another [to form a quantity sufficient for culpability],
  - D because they are not subject to equivalent measures.
  - E He who takes out foodstuffs [for a human being] in the volume of a dried fig is liable.
  - F And they do join together with one another [to form a quantity sufficient for culpability],
  - G because they are subject to equivalent measures,
  - H except for their (1) husks, (2) kernels, (3) stalks, (4) coarse bran, and (5) fine bran.
  - I R. Judah says, "Except for the husks of lentils, which are cooked with them."
- 8:1 A He who takes out (1) wine enough to mix a cup; (2) milk enough for a gulp; (3) honey enough to put on a sore; (4) oil enough to anoint a small limb; (5) water enough to rub off an eye salve; and (6) of all other liquids, a quarter *log*; (7) and of all slops [refuse], a quarter *log*.
  - B R. Simeon says, "All of them are [subject to the measure of] a quarter *log*.
  - C "And they have stated all these measures only with reference to those who store them away."
- **8:2** A He who takes out (1) rope enough to make a handle for a basket; (2) reed cord enough to make a hanger for a sifter or a sieve—
  - B R. Judah says, "Enough to use it to take the measure of a shoe for a child" —
  - C (3) paper enough to write on it a receipt for a tax collector.
  - D And he who takes out (1) a receipt for a tax collector is liable;
  - E (2) used paper enough to wrap around a small perfume bottle.
- **8:3** A (3) Leather enough to make an amulet; (4) parchment enough to write on it small pericope of the *tefillin*, which is *Hear O Israel*;
  - B (5) ink enough to write two letters; (6) eye shadow enough to shadow one eye.

- **8:4** A (7) Lime enough to put on the head of a lime twig; (8) pitch or sulphur enough for making a small hole; (9) wax enough to put over a small hole; (10) clay enough to make the [bellow's] hole of the crucible of a goldsmith.
  - B R. Judah says, "Enough to make a prop."
  - C (11) Bran enough to put on the mouth of the crucible of a goldsmith;
  - D (12) quicklime enough to smear the little finger of a girl.
  - E R. Judah says, "Enough to take off the hair [on the temples]."
  - F R. Nehemiah says, "Enough to take off the hair on the forehead."
- **8:5** A (1) "Earth for clay enough to make a seal for a large sack," the words of R. Aqiba.
  - B And sages say, "A seal for a letter."
  - C "(2) Manure or (3) fine sand enough to manure a cabbage stalk," the words of R. Aqiba.
  - D And sages say, "Enough to manure a leek."
  - E (4) Coarse sand enough to cover a plasterer's trowel;
  - F (5) reed enough to make a pen.
  - G And if it was thick or broken, enough to [make a fire to] cook the smallest sort of egg, mixed [with oil] and put in a pan.
- **8:6** A (1) Bone enough to make a spoon.
  - B R. Judah says, "Enough to make a tooth [of a key] with it."
  - C (2) Glass enough to scrape the end of a shuttle;
  - D (3) pebble or stone enough to throw at a bird.
  - E R. Eliezer b. R. Jacob says, "Enough to throw at a beast."
- 8:7 A "Potsherd enough to put between one board and another," the words of R. Judah.
  - B R. Meir says, "Enough to scoop up fire."
  - C R. Yose says, "Enough to hold a quarter log [of liquid]."
  - D Said R. Meir, "Even though there is no proof for the proposition, there is at least a hint for it: And there shall not be found among the pieces of it a sherd to take fire from the earth (Is. 30:14)."
  - E Said to him R. Yose, "From that same verse there is proof [for my proposition]: *Or to scoop up water withal out of the cistern.*"
- **9:1** I A Said R. Aqiba, "How do we know of an idol that it imparts uncleanness when it is carried as a menstruating woman [imparts uncleanness, when she is carried, to the one who carries her]?
  - B "Since it is said, You shall cast them away like a menstruous thing, you shall say to it, Get thee hence (Is. 30:22).
  - C "Just as the menstruating woman imparts uncleanness when she is carried so an idol imparts uncleanness when it is carried.

#### **9:2** II A "How do we know of a boat that it is insusceptible to uncleanness?

- B "Since it says, *The way of a ship in the midst of the sea* (Prov. 30:19).
- III C "How do we know of a garden bed, six handbreadths square, that five different kinds of seed may be sown in it, four on the sides and one in the middle [M. Kil. 3:1]?
  - D "Since it says, For as the earth brings forth her bud and as the garden causes seeds sown in it to spring forth (Is. 61:11).

- E *"Its seed* is not said, but *Its seeds*.
- **9:3** IV A "How do we know of her who emits semen on the third day [after having had sexual relations] that she is unclean?
  - B "Since it says, *And be ready against the third day, [come not near a woman]* (Ex. 19:15).
  - V C "How do we know that they bathe a child on the third day after circumcision, even if this coincides with the Sabbath?
    - D "Since it says, *And it came to pass on the third day when they were sore* (Gen. 34:25).
  - VI E "How do we know that they tie a red thread on the head of the scapegoat [which is sent forth]?
    - F "Since it says, *Though your sins be as scarlet, they shall be white as snow* (Is. 1:18).
- **9:4** A "How do we know that on the Day of Atonement anointing is tantamount to drinking?
  - B "Even though there is no direct proof of the proposition, there is a hint at it,
    - C "since it says, And it came into his inward parts like water and like oil into his bones (Ps. 109:18)."
- **9:5** A He who brings out wood—enough to cook a small egg;
  - B spices—enough to spice a small egg;
  - C and they join together with one another (to make up the requisite quantity to impose liability].
  - D (1) Nutshells, (2) pomegranate shells, (3) woad, and (4) dyer's madder—enough to dye a garment as small as a hairnet;
  - E (5) urine, (6) soda, (7) soap, (8) cimolian earth, or (9) lion's leaf—enough to launder a garment as small as a hairnet.
  - F R. Judah says, "Enough to spread over a bloodstain" [M. Nid. 9:6].
- **9:6** A (1) Pepper in any quantity at all; (2) tar in any quantity at all; (3) various sorts of spices and metal tools in any quantity at all;
  - B (1) stones of the altar, (2) dirt of the altar, (3) worn-out holy books, and (4) their worn-out covers—in any quantity at all.
  - C They store them away in order to hide them [for permanent storage].
  - D R. Judah says, "Also: He who takes out any of the appurtenances of an idol in any quantity at all [is liable],
  - E "since it says, And there shall cleave nought of the devoted thing to your hand (Dt. 13:17)."
- **9:7** A (He who takes out a peddler's basket, even though there are many different sorts of things in it, is liable only for a single sin offering.)
  - B Garden-seeds—less than a dried fig's bulk.
  - C R. Judah b. Beterah says, "Five."
  - D (1) Two cucumber seeds, (2) two gourd seeds, (3) two Egyptian bean seeds,
  - E (1) a clean, live locust—in any quantity whatsoever;
  - F (2) a dead one—the size of a dried fig;
  - G (3) 'a vineyard-bird' [a kind of locust] whether alive or dead—in any quantity at all,

- H for they store it away for [later use as] a remedy.
- I R. Judah says, "Also one who takes out a living unclean locust—in any quantity at all,
- J "for they store it away for a child to play with it."
- **10:1** A He who put [something] away for seed, for a sample, or for a remedy and [then] took it out on the Sabbath is liable in any amount whatsoever.
  - B But any [other] person is liable on its account only in the specified measure pertinent to it [that sort of thing].
  - C [If the person] went and put it back, he is liable [should he take it out again] only in the specified measure pertinent to it.
- **10:2** A He who takes out food and puts it down on the threshold,
  - B whether he then went and took it out, or someone else took it out,
  - C is exempt [from liability to a sin offering],
  - D for he has not [completely] performed his prohibited act of labor at one time.
  - E A basket which is full of produce, which one put on the outer [half of the] threshold,
  - F even though the larger quantity of the produce is outside—
  - G he is exempt,
  - H unless he takes out the entire basket.
- **10:3** A He who takes [something] out, (1) whether in his right hand or in his left, (2) in his lap or (3) on his shoulder, is liable,
  - B for so is the manner of carrying [an object] by the children of Kohath [Num. 7:9].
  - C [If he takes something out] (1) on the back of his hand, (2) on his foot, (3) in his mouth, (4) in his elbow, (5) in his ear, or (6) in his hair,
  - D (1) in his wallet with its mouth downward, (2) between his wallet and his cloak, (3) in the hem of his cloak, (4) in his shoe, (5) in his sandal,
  - E he is exempt [from liability to a sin offering].
  - F For he has not carried [the object] out the way people [generally] carry out [objects].
- **10:4** A He who intends to take out something before him, and it slipped behind him is exempt.
  - B [If he intended to carry it out] behind him and it slipped in front of him, he is liable.
  - C Truly did they say, A woman who wore drawers [and took something out in them], whether in front of her or behind her, is liable,
  - D for they are likely to be moved around.
  - E R. Judah says, "Also: Letter carriers."
- **10:5** I A He who takes out a loaf of bread into the public domain is liable.
  - II B [If] two people took it out, they are exempt.
  - III C [If] one person could not take it out, but two people took it out, they are liable.
    - D And R. Simeon declares [them exempt].
  - I E He who takes out food in a volume less than the specified measure in a utensil is exempt even on account of [taking out] the utensil,
    - F for the utensil is secondary to it [the food].
  - II G [He who takes out] a living person in a bed is exempt even on account of [taking out] the bed,
    - H for the bed is secondary to him.
  - III I [If he took out] a corpse in a bed, he is liable.

- J And so [one who takes out] an olive's bulk of corpse matter and olive's bulk of carrion and a lentil's bulk of a dead creeping thing is liable.
- K And R. Simeon declares [him] exempt.
- **10:6** A He who pares his fingernails with one another, or with his teeth,
  - B so too [if he pulled out the hair of] his (1) head, (2) moustache, or (3) beard—
  - C and so she who (1) dresses her hair, (2) puts on eye shadow, or (3) rouges her face—
  - D R. Eliezer declares liable [for doing so on the Sabbath].
  - E And sages prohibit [doing so] because of [the principle of] Sabbath rest.
  - F He who picks [something] from a pot which has a hole [in the bottom] is liable.
  - G [If he picks something from a pot] which has no hole [in the bottom], he is exempt.
  - H And R. Simeon exempts him on this account and on that account.
- **11:1** A He who throws [an object] from private domain to public domain, [or] from public domain to private domain, is liable.
  - B [He who throws an object] from private domain to private domain, and public domain intervenes —
  - C R. Aqiba declares [him] liable [to a sin offering].
  - D And sages exempt [him].
- **11:2** A How so?
  - B Two balconies opposite one another [extending] into the public domain—
  - C he who stretches out or throws [an object] from this one to that one is exempt.
  - D [If] both of them were [different private domains on the same side of the street and] at the same story,
  - E he who stretches [an object over] is liable, and he who throws from one to the other is exempt.
  - F For thus was the mode of labor of the Levites:
  - G Two wagons, one after the other, in the public domain—
  - H they stretch beams from this one to that one, but they do not throw [them from one to the other].
  - I The bank of a cistern and the rock ten handbreadths high and four broad—
  - J he who takes [something] from that area or who puts something onto that area is liable.
  - K [If they were] less than the stated measurements he is exempt.
- **11:3** A He who throws [something from a distance of] four cubits toward a wall
  - B [if he throws it] above ten handbreadths, it is as if he throws it into the air [which is public domain].
    - C [If it is] less than ten handbreadths, it is as if he throws an object onto the ground [which is private domain].
  - I D He who throws [an object to a distance of] four cubits on the ground, is liable.
  - II E [If] he threw [an object] within the space of four cubits and it rolled beyond four cubits, he is exempt.
  - III F [If he threw an object] beyond four cubits and it rolled back into four cubits, he is liable.
- **11:4** A He who throws [an object to a distance of] four cubits into the sea is exempt.

- B If it was shallow water and a public path passed through it, he who throws [an object for a distance of] four cubits is liable.
- C And what is the measure of shallow water?
- D Less than ten handbreadths in depth.
- E [If there was] shallow water, and a public path goes through it, he who throws into it to a distance of four cubits is liable.
- **11:5** A He who throws [an object] (1) from the sea to dry land or (2) from dry land to the sea,
  - B or (3) from the sea to a boat, or (4) from a boat to the sea,
  - C or (5) from one boat to another,
  - D is exempt.
  - E [If] boats are tied together, they move [objects] from one to the next.
  - F If they are not tied together, even though they lie close together, they do not carry [objects] from one to the other.
- **11:6** A He who throws [an object] and realizes [remembers what he has done] after it leaves his hand,
  - B [if] another person caught it,
  - C [if] a dog caught it,
  - D or [if] it burned up in a fire [intervening in its flight path]
  - E he is exempt.
  - F [If] he threw it intending to inflict a wound,
  - G whether at a man or at a beast,
  - H and realizes [what he has done] before it inflicted the wound,
  - I he is exempt.
  - J This is the general principle: All those who may be liable to sin offerings in fact are not liable unless at the beginning and the end, their [sin] is done inadvertently.
  - K [But] if the beginning of their [sin] is inadvertent and the end is deliberate, [or] the beginning deliberate and the end inadvertent, they are exempt—
  - L unless at the beginning and at the end their [sin] is inadvertent.
- **12:1** A He who builds— how much does he build so as to be liable [on that count]?
  - B He who builds—in any measure at all.
  - C He who hews stone, hits with a hammer or adze, bores—in any measure at all is liable.
  - D This is the governing principle: Whoever on the Sabbath performs a forbidden act of labor and [the result of] his act of labor endures is liable.
  - E Rabban Simeon b. Gamaliel says, "Also: He who hits with a hammer on an anvil when he is performing an act of labor is liable.
  - F "For he is tantamount to one who improves [prepares] for [another] act of labor."
- **12:2** I A He who ploughs—in any measure whatsoever,
  - B he who (1) weeds, he who (2) cuts off dead leaves, and he who (3) prunes— in any measure whatsoever,
  - C is liable.

Π

- D He who gathers branches of wood—
  - E if [it is] to improve the field—in any measure at all;
  - F if [it is] for a fire—
  - G in a measure [of wood] sufficient to cook a small egg,

- H [is liable].
- I He who gathers herbs
  - J if [it is] to improve the field—
  - K in any measure at all;
  - L if it is for cattle [to eat]—in the measure of a lamb's mouthful,
  - M [is liable].
- **12:3** A He who writes two letters,
  - B whether with his right hand or with his left,
  - C whether the same letter or two different letters,
  - D whether with different pigments,
  - E in any alphabet,
  - F is liable.

Ш

- G Said R. Yose, "They imposed liability [on one who writes] two letters only because of making a mark.
- H "For so did they write [make a mark] on the boards of the tabernacle, to determine which belonged with which."
- I Said Rabbi, "We find that a short name comes from a long name, Shem from Shimeon or from Shemuel, Noah from Nahor, Dan from Daniel, Gad from Gadiel."
- **12:4** A He who writes two letters during a single spell of inadvertence is liable.
  - B [If] he wrote with (1) ink, (2) caustic, (3) red dye, (4) gum, or (5) copperas,
  - C or with anything which leaves a mark,
  - D on two walls forming a corner, or on two leaves of a tablet, which are read with one another,
  - E he is liable.
  - F He who writes on his flesh is liable.
  - G He who scratches a mark on his flesh—
  - H R. Eliezer declares him liable to a sin offering.
  - I And R. Joshua declares him exempt.
- **12:5** A [If] one wrote with (1) fluids [blood, water, milk, honey, etc., as at M. Makh. 6:4], (2) fruit juice, (3) dirt from the street, (4) writer's sand,
  - B or with anything which does not leave a lasting mark,
  - C he is exempt.
  - D (1) [If he wrote] with the back of his hand, with his foot, mouth, or elbow,
  - E (2) [if] he wrote one letter alongside a letter already written,
  - F (3) [if] he wrote a letter on top of a letter [already written],
  - G (4) [if he intended to write a *het* and wrote two *zayins*,
  - H (5) [if he wrote] one on the ground and one on the beam,
  - I (6) [if he wrote [two letters] on the two walls of the house, on the two sides of a leaf of paper, so that they cannot be read with one another,
  - J he is exempt.
  - K [If] he wrote one letter as an abbreviation,
  - L R. Joshua b. Beterah declares him liable.
  - M And sages declare him exempt.
- **12:6** A He who writes two letters in two distinct spells of inadvertence,

- B one in the morning and one at twilight,
- C Rabban Gamaliel declares him liable.
- D And sages declare him exempt.

#### **13:1** I A R. Eliezer says, "He who weaves three threads at the beginning [of the web],

- B "or [who added] one onto that which is already woven,
- C "is liable."
- D And sages say, "Whether at the beginning or at the end, its measure [for culpability] is two threads."
- **13:2** II A He who makes two meshes for the heddles or the sley [of a loom],
  - B [or two meshes] in a sifter, sieve, or basket,
    - C is liable.
  - III D He who sews two stitches [is liable].
    - E And he who tears in order to sew two stitches [is liable].

13:3 A He who tears (his clothing] because of his anger or on account of his bereavement,

- B and all those who effect destruction,
  - C are exempt.
  - D But he who destroys in order to improve—the measure [for] his [action] is the same as for him who improves.
- **13:4** A The measure for one who bleaches, hackles, dyes, or spins is a double *sit*.
  - B And he who weaves two threads—his measure is a *sit*.
- **13:5** A R. Judah says, "He who hunts a bird into a tower trap,
  - B "or a deer into a house,
  - C "is liable."
  - D And sages say, "[He who drives] a bird into a tower trap, or a deer into a house, *into a courtyard, or into a corral.*"
  - E Rabban Simeon b. Gamaliel says, "Not all corrals are the same.
  - F "This is the governing principle: [If] it yet lacks further work of hunting, he [who pens it in on the Sabbath] is exempt. [If] it does not lack further work of hunting, he is liable."
- 13:6 I A A deer which entered a house, and someone locked it in—
  - B he [who locked it in) is liable.
  - II C [If] two people locked it in, they are exempt.
  - III D [If] one person could not lock the door, and two people did so, they are liable.
    - E And R. Simeon declares them exempt [M. 10:5].
- **13:7** A [If] one of them sat down at the doorway and did not completely fill it [so that the deer could yet escape], but a second person sat down and finished filling it,
  - B the second person is liable.
  - C [If] the first person sat down at the doorway and filled it up, and a second one came along and sat down at his side,
  - D even though the first one got up and went along, the first remains liable, and the second exempt.

E Lo, to what is this equivalent?

III

- F To one who locks his house to shut it up [and protect it], and a deer turns out to be shut up [and trapped] inside.
- **14:1** I A The eight creeping things mentioned in the Torah [the weasel, mouse, great lizard, gecko, land crocodile, lizard, sand lizard, and chameleon]
  - B he who hunts them or wounds them is liable.
  - II C And as to all other abominations and creeping things, he who wounds them is exempt.
    - D He who hunts them for use is liable.
    - E [He who hunts them] not for use is exempt.
    - F A wild beast and a bird which are in his domain—
      - G he who hunts them is exempt.
      - H He who wounds them is liable.
- **14:2** A They do not make pickling brine on the Sabbath.
  - B But one makes salt water and dips his bread in it and puts it into cooked food.
  - C Said R. Yose, "Now is that not pickling brine, whether it is large quantity or small quantity?
  - D "What is the sort of salt water which is permitted? One first puts oil into water or into salt [and then mixes the salt with the water]."
- **14:3** A They do not eat Greek hyssop on the Sabbath.
  - B because it is not a food for healthy people.
  - C But one eats pennyroyal or drinks knotgrass water.
  - D All sorts of foods a person eats [which serve for] healing,
  - E and all such drinks he may drink,
  - F except for palm-tree water [purgative water] or a cup of root water,
  - G because they are [solely] for jaundice.
  - H But one may drink palm-tree water [to quench] his thirst.
  - I And one anoints with root oil,
  - J [if it is] not for healing.
- **14:4** A He who is concerned about his teeth may not suck vinegar through them.
  - B But he dunks [his bread] in the normal way,
  - C and if he is healed, he is healed.
  - D He who is concerned about his loins [which give him pain], he may not anoint them with wine or vinegar.
  - E But he anoints with oil—
  - F not with rose oil.
  - G Princes (on the Sabbath], anoint themselves with rose oil on their wounds, since it is their way to do so on ordinary days.
  - H R. Simeon says, "All Israelites are princes."
- **15:1** A On account of [tying] what sorts of knots [on the Sabbath] are [people] liable?
  - B (1) A camel driver's knot, and (2) a sailor's knot.
  - C And just as one is liable for tying them, so he is liable for untying them.

- D R. Meir says, "Any knot which he can untie with one hand—they are not liable on its account [for tying it]."
- **15:2** A You have knots on account of which they are not liable, like a camel driver's knot and a sailor's knot.
  - B A woman ties (1) the slit of her shift, (2) the strings of her hairnet and of her belt, (3) the thongs of a shoe or sandal, (4) [leather] bottles of wine or oil, and (5) a cover over meat.
  - C R. Eliezer b. Jacob says, "They tie a knot before a domestic beast so that it will not go forth."
  - D They tie a bucket with a belt but not with a rope.
  - E R. Judah permits [tying with a rope].
  - F A governing principle did R. Judah state, "On account of any sort of knot which does not last they are not liable."
- **15:3** A They fold up clothing even four or five times.
  - B And they spread beds on the night of the Sabbath for use on the Sabbath,
  - C but not on the Sabbath for use after the Sabbath.
  - D R. Ishmael says, "They fold clothes and lay out beds on the Day of Atonement for the Sabbath.
  - E "And the fat pieces of the Sabbath offering are offered on the Day of Atonement."
  - F R. Aqiba says, "Those of the Sabbath are not offered on the Day of Atonement, and those of the Day of Atonement are not offered on the Sabbath."
- **16:1** A All Holy Scriptures—
  - B they save them from fire,
  - C whether they read in them or do not read in them.
  - D And even though they are written in any language, [if they become useless] they require storage [and are not to be burned].
  - E And on what account do they not read in [some of] them?
  - F Because of the neglect of the study house.
  - G They save the case of the scroll with the scroll and the case of the *tefillin* with the *tefillin*,
  - H even though there is money in them.
  - I And whither do they [take them to] save them?
  - J To a closed alley [which is not open as a thoroughfare and so is not public domain].
  - K Ben Beterah says, "Also: to one which is open [as a thoroughfare]."
- **16:2** A They save food enough for three meals—
  - B what is suitable for human beings for human beings, what is suitable for cattle for cattle.C How so?
  - D [If] a fire broke out on the night of the Sabbath, they save food for three meals.
  - E [If it broke out] in the morning, they save food for two meals.
  - F [If it broke out] in the afternoon, [they save food for] one meal.
  - G R. Yose says, "Under all circumstances they save food for three meals."
- **16:3** A They save a basket full of loaves of bread,
  - B even if it contains enough food for a hundred meals,
  - C a wheel of pressed figs, and a jug of wine.
  - D And one says to others, "Come and save [what you can] for yourselves [as well]."

- E Now if they were intelligent, they come to an agreement with him after the Sabbath.
- F Whither do they [take them to] save them?
- G To a courtyard which is included within an *erub*.
- H Ben Beterah says, "Also: To one which is not included within an *erub*."
- **16:4** A And to that place [M. 16:3F–H] one takes out all his utensils.
  - B And he puts on all the clothing which he can put on, and he cloaks himself in all the cloaks he can put on.
    - C R. Yose says, "Eighteen items of clothing."
    - D And he goes back, puts on clothing, and takes it out,
    - E And he says to others, "Come and save [the clothing] with me."
- **16:5** A R. Simeon b. Nannos says, "They spread out a lamb's hide over a chest, box, or cupboard, which have caught fire,
  - B "for it will [only] singe."
  - C And they make a partition with any sort of utensils, whether filled [with water] or empty, so that the fire will not pass.
  - D R. Yose prohibits doing so with new clay utensils filled with water,
  - E for they cannot take the fire, so will split open, and [the water within them] will put out the fire.
- 16:6 A A gentile who came to put out a fire—
  - B they do not say to him, "Put it out, " or "Do not put it out, "
  - C for they are not responsible for his Sabbath rest.
  - D But a minor [Israelite child] who came to put out a fire—
  - E they do not hearken to him [and let him do so], because his Sabbath rest is their responsibility.
- **16:7** A They cover a lamp with a dish so that it will not scorch a rafter;
  - B and the excrement of a child;
  - C and a scorpion, so that it will not bite.
  - D Said R. Judah, "A case came before Rabban Yohanan b. Zakkai in Arab, and he said, 'I suspect [he is liable for] a sin offering."
- **16:8** I A A gentile who lit a candle—
  - B an Israelite may make use of its light.
  - C But [if he did so] for an Israelite, it is prohibited [to do so on the Sabbath].
  - II D [If a gentile] drew water to give water to his beast, an Israelite gives water to his beast after him.
    - E But [if he did so] for an Israelite, it is prohibited [to use it on the Sabbath].
  - III F [If] a gentile made a gangway by which to come down from a ship, an Israelite goes down after him.
    - G But [if he did so] for an Israelite, it is prohibited [to use it on the Sabbath].
    - H *M'SH B*: Rabban Gamaliel and elders were traveling by boat, and a gentile made a gangway by which to come down off the ship, and Rabban Gamaliel and sages went down by it.
- **17:1** I A All utensils are handled on the Sabbath,

- B and their [detached] doors along with them,
- C even though they were detached on the Sabbath.
- D For they are not equivalent to doors of a house,
- E for the [latter] are not prepared [in advance of the Sabbath to be used].
- **17:2** A One handles (1), a hammer to split nuts,
  - B (2) an ax to chop off a fig,
  - C (3) a saw to cut through cheese,
  - D (4) a shovel to scoop up dried figs,
  - E (5) a winnowing shovel or (6) a fork to give something thereon to a child,
  - F (7) a spindle or (8) a shuttle staff to thrust into something,
  - G (9) a sewing needle to take out a thorn,
  - H (10) a sack-maker's needle to open a door.
- 17:3 A A reed for olives, if it has a knot on its top, receives uncleanness.
  - B And if not, it does not receive uncleanness.
  - C One way or the other, it is handled on the Sabbath.
- 17:4 II A R. Yose says, "All utensils are handled,
  - B "except for a large saw or plowshare."
  - III C All utensils are handled in case of need and not in case of need.
    - D R. Nehemiah says, "They are handled only in case of need. "
- **17:5** A All utensils which are handled on the Sabbath— fragments deriving from them may be handled along with them,
  - B on condition that they perform some sort of useful work [even if it is not what they did when they were whole]:
  - C (1) fragments of a kneading trough—to cover the mouth of a barrel,
  - D (2) glass fragments—to cover the mouth of a flask.
  - E R. Judah says, "On condition that they perform the sort of work which they did [when they were whole]:
  - F (1) "fragments of a kneading trough—to pour porridge into them,
  - G (2) "glass fragments—to pour oil into them."
- 17:6 A A stone in a gourd shell [used for weighting it]—
  - B if they draw water in it and it does not fall out,
  - C they draw water with it [the gourd shell].
  - D And if not, they do not draw water with it.
  - E A branch tied to a pitcher—they draw water with it on the Sabbath.
- **17:7** A The window shutter [stopper of a skylight]—
  - B R. Eliezer says, "When it is tied on and suspended, they shut [the window] with it.
    - C "And if not, they do not shut [the window] with it."
    - D And sages say, "One way or the other, they shut the window with it."
- **17:8** A All utensil covers which have handles are handled on the Sabbath.
  - B Said R. Yose, "Under what circumstances? In the case of lids over openings in the ground.

- C "But as to lids of utensils, one way or the other [without or with handles], they are moved about on the Sabbath."
- **18:1** A They clear away even four or five baskets of straw or grain on account of guests,
  - B or on account of [avoiding] neglect of the house of study.
    - C But [they do] not [clear away] a storeroom.
    - D They clear away (1) clean heave offering, (2) doubtfully tithed produce, (3) first tithe the heave offering of which has been removed, (4) second tithe and (5) consecrated produce which have been redeemed;
    - E and dried lupine, for it is food for poor people;
    - F but [they do] not [clear away] (6) produce from which tithes have not been removed, (7) first tithe the heave offering of which has not been removed, (8) second tithe and (9) consecrated produce which have not been redeemed;
    - G arum, or mustard.
    - H Rabban Simeon b. Gamaliel permits in the case of arum,
    - I because it is food for ravens [in the house].
- **18:2** A Bundles of straw, branches, or young shoots—
  - B if one prepared them for food for cattle,
  - C they handle them,
  - D And if not, they do not handle them.
  - E They turn up a basket for chickens, so that they may go up [into the hen house] and down on it.
  - F A chicken which fled—they drive it along until it goes back [into the chicken yard].
  - G They pull calves or young asses in the public way.
  - H A mother drags along her child.
  - I Said R. Judah, "Under what circumstances? When [the child] lifts up one foot and puts the other down. But if he drags [his feet], it is forbidden [to drag it]."
- **18:3** A They do not deliver the young of cattle on the festival, but they help out.
  - B And they do deliver the young of a woman on the Sabbath.
  - C They call a midwife for her from a distant place,
  - D and they violate the Sabbath on her [the woman in childbirth's] account.
  - E And they tie the umbilical cord.
  - F R. Yose says, "Also: They cut it."
  - G And all things required for circumcision do they perform on the Sabbath."
- **19:1** A R. Eliezer says, "If one did not bring a utensil [used for circumcision] on the eve of the Sabbath, he brings it openly on the Sabbath."
  - B And in the time of the danger, one covers it up in the presence of witnesses.
  - C And further did R. Eliezer state, "They cut wood to make coals to prepare an iron utensil [for circumcision]."
  - D An operative principle did R. Aqiba state, "Any sort of labor [in connection with circumcision] which it is possible to do on the eve of the Sabbath does not override [the restrictions of I the Sabbath, and that which it is not possible to do on the eve of the Sabbath does override [the prohibitions of] the Sabbath."
- **19:2** A They do prepare all that is needed for circumcision on the Sabbath:

- B they (1) cut [the mark of circumcision], (2) tear, (3) suck [out the wound].
- C And they put on it a poultice and cummin.
- I D If one did not pound it on the eve of the Sabbath, he chews it in his teeth and puts it on.
- II E If one did not mix wine and oil on the eve of the Sabbath, let this be put on by itself and that by itself.
  - F And they do not make a bandage in the first instance.
  - G But they wrap a rag around [the wound of the circumcision].
- III H If one did not prepare [the necessary rag] on the eve of the Sabbath, he wraps [the rag] around his finger and brings it, and even from a different courtyard.
- **19:3** A They wash off the infant,
  - B both before the circumcision and after the circumcision,
  - C and they sprinkle him,
  - D by hand but not with a utensil.
  - E R. Eleazar b. Azariah says, "They wash the infant on the third day after circumcision [even if it] coincides with the Sabbath,
  - F "since it says, And it came to pass on the third day when they were sore (Gen. 34:25)."
  - G [If the sexual traits of the infant are a matter of] doubt, of [if the infant] bears the sexual traits of both sexes, they do not violate the Sabbath on his account.
  - H And R. Judah permits in the case of an infant bearing the traits of both sexes.
- **19:4** A He who had two infants, one to circumcise after the Sabbath and one to circumcise on the Sabbath,
  - B and who forgot [which was which] and circumcised the one to be circumcised after the Sabbath on the Sabbath,
  - C is liable.
  - D [If he had] one to circumcise on the eve of the Sabbath and one to circumcise on the Sabbath,
  - E and he forgot and on the Sabbath, circumcised the one to be circumcised on the eve of the Sabbath,
  - F R. Eliezer declares him liable to a sin offering.
  - G And R. Joshua exempts him.

#### **19:5** A An infant is circumcised on the eighth, ninth, tenth, eleventh or twelfth days [after birth],

- B never sooner, never later.
- C How so?
- D Under normal circumstances, it is on the eighth day.
- E [If] he was born at twilight, he is circumcised on the ninth day.
- F [If he was born] at twilight on the eve of the Sabbath, he is circumcised on the tenth day [the following Sunday].
- G In the case of a festival which falls after the Sabbath, he will be circumcised on the eleventh day [Monday].
- H In the case of two festival days of the New Year, he will be circumcised on the twelfth day [Tuesday].
- I An infant who is sick—they do not circumcise him until he gets well.

- **19:6** A These are the shreds [of the foreskin, if they remain] which render the circumcision invalid:
  - B flesh which covers the greater part of the corona—
  - C and such a one does not eat heave offering.
  - D And if he was fat [so the corona appears to be covered up], one has to fix it up for appearance's sake.
  - E [If] one circumcised but did not tear the inner lining [the cut did not uncover the corona, since the membrane was not split and pulled down], it is as if he did not perform the act of circumcision.
- **20:1** A R. Eliezer says, "(1) On the festival they spread out a filter, and (2) on the Sabbath they pour [wine] into one which is spread out."
  - B And sages say, "(1) On the festival they do not spread out a filter, and (2) on the Sabbath they do not pour [wine] into one which is spread out.
  - C "But on the festival they pour [wine] into one which is spread out."
- **20:2** A They pour water over wine dregs so that they will be clarified.
  - B And they strain wine in cloths or in a twig basket.
  - C And they put an egg into a mustard strainer.
  - D And they prepare honeyed wine on the Sabbath.
  - E R. Judah says, "On the Sabbath [it is done] in a cup, and on a festival day in a flagon, and on the intervening days of a festival in a barrel."
  - F R. Sadoq says, "All depends on the number of guests."
- **20:3** I A They do not soak asafoetida in warm water.
  - B But one puts it into vinegar.
  - II C And they do not soak vetches or rub them.
    - D But one puts them into a sieve or a basket.
  - III E They do not sift chopped straw in a sifter.
    - F Nor does one put it on a high place so that the chaff will fall out.
    - G But one takes it in a sieve and pours it into the crib.
- **20:4** A "They clean out [a manger] before a fat ox.
  - B "And they sweep aside [spilled fodder] on account of a grazing animal [or: excrement]," the words of R. Dosa.
  - C And sages prohibit [doing so].
  - D They take [fodder] from before one beast and put it before another beast on the Sabbath.
- 20:5 A The straw which is on the bed—
  - B one should not shift it with his hand.
  - C But he shifts it with his body.
  - D And if it was food for a beast, or if there was a cushion or a sheet on it, he may shift it with his hand.
  - E A press used by householders
  - F do they loosen but do they not tighten.
  - G And one of laundrymen one should not touch [at all].
  - H R. Judah says, "If it was untied on the eve of the Sabbath, one may untie the whole thing and remove (clothing from] it."

- **21:1** A A man takes up his child, with a stone in [the child's] hand,
  - B or a basket with a stone in it.
    - C And they handle unclean heave offering along with clean heave offering or with unconsecrated food.
  - D R. Judah says, "Also: They take out the one part of heave offering that has fallen into a hundred parts of unconsecrated food."
- **21:2** A A stone which is over the mouth of a jar—
  - B one tilts [the jar] on its side and [the stone] falls off.
  - C [If] it [the jar] was among [other] jars, one lifts it [the jar] up and [then] turns it on its side, so that it [the stone] falls off.
  - D Coins which are on a pillow—
  - E one shakes the pillow, and they fall off.
  - F [If] there was snot on it, one wipes it off with a rag.
  - G [If] it was made of leather, they pour water on it until it [the snot] disappears.
- **21:3** A The House of Shammai say, "They take up bones and shells from the table."
  - B And the House of Hillel say, "One removes the entire table and shakes it out."
  - C They remove from the table crumbs less than an olive's bulk in size,
  - D pods of chick-peas, and pods of lentils,
  - E because it is food for a beast.
  - F A sponge, if it has a handle—
  - G they wipe with it.
  - H And if not, they do not wipe with it.
  - I And sages say, "One way or the other, it is handled on the Sabbath.
  - J "And it does not receive uncleanness."
- 22:1 A A jar which broke [on the Sabbath]—
  - B they save from it[s wine] enough sustenance for three meals.
  - C And one says to others, "Come along and save some for yourself
  - D on condition that one not sponge it up.
  - E They do not squeeze pieces of fruit to get out the juice.
  - F And if the juice came out on its own, it is prohibited [for use on the Sabbath].
  - G R. Judah says, "If [the produce was intended] for food, what exudes from it is permitted.
  - H "And if [the produce was intended] for drink, what exudes from it is prohibited."
  - I Honeycombs which one broke on the eve of the Sabbath and [their liquids] exuded on their own—they are prohibited.
  - J And R. Eleazar permits [use of the honey on the Sabbath].
- 22:2 A Whatever is put into hot water on the eve of the Sabbath— they soak it [again] in hot water on the Sabbath.
  - B And whatever is not put into hot water on the eve of the Sabbath— they [only] rinse it in hot water on the Sabbath,
  - C except for pickled fish, small salted fish, and Spanish tunny fish,
  - D for rinsing them is the completion of their preparation [for eating].
- 22:3 A A person breaks a jar to eat dried figs from it,
  - B on condition that he not intend [in opening the jar] to make it into a utensil.

- C "But they do not pierce the plug of a jar," the words of R. Judah.
- D And sages permit it.
- E And they do not pierce it on the side.
- F And if it was pierced, one should not put wax on it,
- G because he would [have to] spread it over [which is a prohibited act].
- H Said R. Judah, "A case came before Rabban Yohanan ben Zakkai in Arab, and he said, 'I fear on his account that he should bring a sin offering [for violating the Sabbath]."
- **22:4** A They put a cooked dish in a cistern so that it may be preserved,
  - B and [a vessel containing] fresh water into foul water to keep it cool,
  - C and cold water into the sun to warm it up.
  - D He whose clothing fell into water on the way goes along in them and does not scruple.
  - E [When] he reaches the outer courtyard, he spreads them out in the sun.
  - F But [this he does not do] in front of people.
- 22:5 A He who bathes in cave water or in the water of Tiberias and dried himself, even with ten towels, may not then carry them in his hand.
  - B But ten men dry their faces, hands, and feet with a single towel and bring it along in their hand.
- **22:6** A They anoint and massage the stomach.
  - B But they do not have it kneaded or scraped.
  - C They do not go down to a muddy wrestling ground.
  - D And they do not induce vomiting.
  - E And they do not straighten [the limb of] a child or set a broken limb.
  - F He whose hand or foot was dislocated should not pour cold water over them.
  - G But he washes in the usual way.
  - H And if he is healed, he is healed.
- 23:1 A A man [on the Sabbath] asks for jugs of wine or oil from his fellow,
  - B provided that he does not say to him, "Lend [them] to me."
  - C And so a woman [borrows] loaves of bread from her neighbor.
  - D And if one does not trust the other, he leaves his cloak with him and settles with him after the Sabbath.
  - E And so is the case on the eve of Passover in Jerusalem when that day coincides with the Sabbath:
  - F One leaves his cloak with him and takes his Passover lamb and settles with him after the festival.
- **23:2** A A man may count the number of his guests and the savory portions orally, but not by what is written down.
  - B And he casts lots with his children and the members of his household at the table [to decide who gets which portion],
  - C on condition that he not intend to offset a larger portion, against a small one,
  - D because of [the prohibition of playing with] dice [on the Sabbath].
  - E And they cast lots on a festival day for [which priest gets which part of] Holy Things,
  - F but not for the portions.

- **23:3** A A man should not hire workers on the Sabbath.
  - B And a man should not ask his fellow to hire workers for him.
  - C They do not wait at twilight at the Sabbath limit to hire workers,
  - D or to bring in produce.
  - E But one may wait at the Sabbath limit at twilight to guard [produce, and after nightfall] he brings back the produce in his hand.
  - F A governing principle did Abba Saul state, "Whatever I have the right to say [to another person to do], on that account I have the right to wait at twilight at the Sabbath limit."
- 23:4 A They wait at the Sabbath limit at twilight to attend to the business of a bride,
  - B and the affairs of a corpse,
  - C to bring it a coffin and wrappings.
  - D A gentile who brought wailing pipes on the Sabbath—an Israelite should not make a lament with them,
  - E unless they came from a nearby place.
  - F [If] they made for him [a gentile] a coffin and dug a grave for him, an Israelite may be buried therein.
  - G But if this was done for an Israelite, he may not ever be buried therein.
- **23:5** A They prepare all that is needed for a corpse.
  - B They anoint and rinse it,
  - C on condition that they not move any limb of the corpse.
  - D They remove the mattress from under it.
  - E And they put it on [cool] sand so that it will keep.
  - F They tie the chin,
  - G not so that it will go up, but so that it will not droop [further].
  - H And so in the case of a beam which broke—
  - I they support it with a bench or the beams of a bed,
  - J not so that it will go up, but so that it will not droop further.
  - K They do not close the eyes of a corpse on the Sabbath,
  - L nor on an ordinary day at the moment the soul goes forth.
  - M And he who closes the eyes of a corpse at the moment the soul goes forth, lo, this one sheds blood.
- **24:1** A He who was overtaken by darkness on the road
  - B gives his purse to a gentile.
  - C If there is no gentile with him, he leaves it on an ass.
  - D [When] he reaches the outermost courtyard [of a town], he removes [from the ass] those utensils which may be handled on the Sabbath.
  - E And [as to] those [utensils] which are not to be handled on the Sabbath, he unloosens the ropes, and the bundles fall by themselves.
- 24:2 A They loosen bundles of hay in front of cattle,
  - B and they spread out bunches,
  - C but not small bundles.
  - D And they do not chop up unripe stalks of corn or carobs before cattle,
  - E whether large or small [beasts].
  - F R. Judah permits in the case of carobs for small beasts.

- **24:3** A They do not stuff food into a camel or cram it [into its mouth].
  - B But they put food into its mouth.
  - C And they do not fatten calves [with food against their will], but they put food into their mouths [in the normal way].
  - D And they force-feed chickens.
  - E They put water into the bran, but they do not knead it.
  - F And they do not put water before bees or doves which are in dovecotes.
  - G But they do put it before geese, chickens, and Herodian doves.
- 24:4 A They cut up gourds before cattle,
  - B and carrion meat before dogs.
  - C R. Judah says, "If it was not carrion on the eve of the Sabbath, it is prohibited,
  - D "because it is not something which has been made ready [before the Sabbath for use on the Sabbath]."
- **24:5** A They abrogate vows on the Sabbath.
  - B And they receive questions concerning matters which are required for the Sabbath.
  - C They stop up a light hole.
  - D And they measure a piece of stuff and an immersion pool.
  - E M'SH S: In the time of the father of R. Sadoq and of Abba Saul b. Botnit, they stopped up the light hole with a pitcher and tied a pot with reed grass [to a stick] to know whether or not there was in the roofing an opening of a handbreadth square.
  - F "And from their deed we learned that they stop up, measure, and tie up on the Sabbath."

### ERUBIN

- **1:1** A [The crossbeam above] an alley entry which is higher than twenty cubits should one diminish [making it lower].
  - B R. Judah says, "It is not necessary."
  - C And [the alley entry] of a breadth [wider] than ten cubits should one diminish [making it narrower].
  - D And if it has the shape of a doorway,
  - E even though it is wider than ten cubits,
  - F it is not necessary to diminish [it, making it narrower].
- **1:2** A The validation of an alley entry [for carrying of objects on the Sabbath]—
  - B the House of Shammai say, "[It must have] a sidepost and a crossbeam."
  - C And the House of Hillel say, "A sidepost or a crossbeam."
  - D R. Eliezer says, "Two sideposts."
  - E In the name of R. Ishmael said a certain disciple before R. Aqiba, "The House of Shammai and the House of Hillel did not dispute concerning an alley entry which is less than four cubits wide, that it [is validated] either by a sidepost or by a crossbeam.
  - F "Concerning what did they dispute?
  - G "Concerning one which is broader than four cubits, up to ten cubits.
  - H "For: The House of Shammai say, 'A sidepost and a crossbeam.'
  - I "And the House of Hillel say, 'A sidepost or a crossbeam.'"

	J	Said R. Aqiba, "Concerning both this case and that case did they dispute."	
1:3	A B C	The crossbeam of which they spoke— [it should be] wide [enough] to hold a half-brick. And the half-brick is the half of a brick of three handbreadths. It is sufficient for the crossbeam to a handbreadth wide, [enough] to hold half-brick lengthwise.	
1:4	A B C	It [the crossbeam] should be wide enough to hold a half-brick, and strong enough to hold a half-brick. R. Judah says, "[It should be] wide enough [to hold a half-brick] even though it is not sufficiently strong [to hold a half-brick].	
1:5	A B C D	<ul><li>"[If] it was of straw or reeds, they regard it as if it were made of metal."</li><li>[If it was] curved, they regard it as if it were straight.</li><li>[If it was] round, they regard it as if it were square.</li><li>(Whatever is three handbreadths in circumference is a one handbreadth in width.</li></ul>	
1:6	A B C	The sideposts of which they spoke—their height must be ten handbreadths, And their breadth and thickness may be in any measure at all. R. Yose says, "Their breadth must be three handbreadths."	
1:7	Ι	<ul> <li>A With any sort of material do they make sideposts,</li> <li>B even something which is animate.</li> <li>C And R. Yose prohibits [using an animate object].</li> </ul>	
	II	<ul> <li>C And R. Yose prohibits [using an animate object].</li> <li>D And [an animate creature which is used to cover up the entrance of a tomb] imparts uncleanness as a sealing stone.</li> </ul>	
	III	<ul> <li>E But R. Meir declares it clean [when used for that purpose].</li> <li>F And they write on [an animate creature] writs of divorce for women.</li> <li>G And R. Yose the Galilean declares it invalid [when used for that purpose].</li> </ul>	
1:8	А	A caravan which encamped in a valley, and which [the travelers] surrounded with a fence made out of cattle yokes—	
	В	they carry [things] about in it,	
	С	on condition that the fence be ten handbreadths high,	
	D	and there not be breaks [in the fence] larger than the built-up parts.	
	Е	Any break [in the fence] which is about ten cubits wide is permitted,	
	F	because it is tantamount to a doorway.	
	G	[But a break in the fence] larger than that is prohibited.	
1:9	А	They surround [the camp] with three ropes one above the other,	
1.,	B	on condition that between one rope and the next there be no space more than three	
	-	handbreadths.	
	С	The size of the ropes must be so that their [total] thickness is more than a handbreadth,	
	D	so that the whole will be ten handbreadths high.	
1:10	А	They surround [the camp] with reeds,	

- B on condition that there not be between one reed and the next three handbreadths [of empty space].
- C "And they spoke specifically of the case of a caravan [at rest]," the words of R. Judah.
- D And sages say, "They spoke of a caravan only because of prevailing conditions."
- E "Any partition which is not of warp and woof is no partition," the words of R. Yose b. R. Judah.
- F And sages say, "One of the two [is enough]."
- G Four matters did they declare exempt [from liability if done by people] in [military] camp: (1) They gather wood from any location.
  - (2) And they are exempt from the requirement of washing hands [before eating]:
  - (3) and from the laws concerning doubtfully tithed produce;

(4) and from the requirement to prepare an *erub* [to join the several tents so that things may be taken from one another].

- **2:1** A They set up boards around wells [in the public domain].
  - B "Four cornerpieces appearing like eight [single boards] [are to be set up]," the words of R. Judah.
    - C R. Meir says, "Eight appearing like twelve [are to be set up].
    - D "Four are cornerpieces, and four are flat."
    - E Their height is to be ten handbreadths, and their breadth six, and their thickness in any measure at all.
    - F "And the space between them is to be enough for two teams of three oxen each," the words of R. Meir.
    - G R. Judah says, "For four teams of four oxen each,
    - H "tied together and not widely apart,
    - I "one going in while the other goes out."
- **2:2** A It is permitted to bring [the fence] close to the well,
  - B so long as the head and greater part of a cow will be inside [the enclosed space] when it drinks.
  - C And it is permitted to draw them back any distance at all,
  - D so long as one increases the number of boards.
- **2:3** A R. Judah says, "They [may draw them back from the well only] so far as to leave two *seahs* of space."
  - B They said to him, "The measure of two *seahs* space has been stated only in connection with what is required for a garden or an outer area.
  - C "But if it was a cattle pen, fold, storeyard, or courtyard, even a space of five *kors*, even a space of ten *kors*, is permitted."
  - D And it is permitted to draw the boards back any distance at all,
  - E so long as one increases the number of boards.
- **2:4** A R. Judah says, "If a public path went through them [the boards], one should divert it to the side."
  - B And sages say, "It is not necessary [to do so]."
  - C "All the same are a cistern serving the public, a well serving the public, and a well serving an individual: they set up boards for them.

- D "But for a cistern serving an individual they set up a partition ten handbreadths high," the words of R. Aqiba.
- E R. Judah b. Baba says, "They set up boards only for a well serving the public alone.
- F "But for the rest they set up a [rope]belt ten handbreadths high" [cf. M. 1:9].
- **2:5** A And further did R. Judah b. Baba say, "As to a garden or an outer area [no more than] seventy cubits and two-thirds by seventy cubits and two-thirds, surrounded by a wall ten handbreadths high—
  - B "they carry about in it,
  - C "so long as there is a watchman's hut or a house, or it is near town [where the owner lives]."
  - D R. Judah says, "Even if there is in it only a cistern, pit, or cavern, they carry about in it."
  - E R. Aqiba says, "Even if there is in it none of these things, they carry about in it,
  - F "so long as it is of the space of seventy cubits and two-thirds by seventy cubits and two-thirds [and no more]."
  - G R. Eliezer says, "If its length [F] is longer than its breadth even by a single cubit, they do not carry therein."
  - H R. Yose says, "Even if its length is two times its breadth, they do carry therein."
- **2:6** A Said R. Ilai, "I heard from R. Eliezer, 'Even if it is a *kor's* space [seventy-five thousand square cubits].'
  - B "And so did I hear from him, 'The inhabitants of a courtyard, one of whom forgot and did not prepare an *erub*—
  - C "'as to his house, it is prohibited for him to bring in [something] or take [it] out.
  - D "'But for them it is permitted.'
  - E "And so did I hear from him, 'They fulfill their obligation [to eat bitter herbs] through hart's tongue on Passover.'
  - F "And I made the rounds of all his disciples, and I looked for a partner for myself [in holding these traditions] but found none."
- **3:1** I A With any [food] do they prepare an *erub* and a *shittuf*,
  - B except for water and salt.
  - II C And any [food] is purchased with money set aside as [second] tithe,
    - D except for water and salt.
  - III E He who vows [to abstain] from food is permitted [to make use of water and salt.
    - F They prepare an *erub* for a Nazir with wine,
      - G and for an Israelite with heave offering.
      - H Sumkhos says, "With unconsecrated produce."
      - I And for a priest [they prepare an *erub* and locate it] in a grave area.
      - J R. Judah says, "Even in a graveyard,
      - K "because he can go outside and eat."
- **3:2** A They prepare an *erub* with (1) doubtfully tithed produce, (2) first tithe whose heave offering has been removed, and (3) second tithe and consecrated produce which have been redeemed.
  - B And priests [do so] with dough offering and with heave offering.

- C But [they do] not [prepare an *erub*] with (1) food from which heave offering and tithe have not been taken, (2) first tithe the heave offering of which has not been removed, or (3) second tithe and consecrated produce which have not been redeemed.
- D He who sends his *erub* with a deaf-mute, an idiot, or a minor,
- E or with someone who does not concede the validity of the *erub*—
- F it is not a valid *erub*.
- G But if he said to someone else to receive it from him,
- H lo, this is a valid *erub*.
- **3:3** I A [fIf] one put it into a tree—
  - B [if] it is above ten handbreadths, his *erub* is not a valid *erub*.
  - C [If he put it] below ten handbreadths, his *erub* is a valid *erub*.
  - II D [If] he put it in a cistern,
    - E even if it was a hundred cubits deep,
    - F his *erub* is a valid *erub*.
  - III G [If] he put it at the tip of a reed or at the tip of a stick,
    - H when it is uprooted and stuck [into the ground],
    - I even if it is a hundred cubits high,
    - J lo, this is a valid *erub*.
    - K [If] he put it into a cupboard and lost the key, lo, this is a valid *erub*.
    - L R. Eliezer says, "If he does not know that the key is where it belongs, it is not a valid *erub*."
- **3:4** A [If] it rolled outside the Sabbath limit.
  - B or [if] a heap of stones fell on it,
  - C or [if] it was burned,
  - D or [if it was] heave offering and was made unclean—
  - E while it was still day,
  - F it is not a valid *erub*.
  - G [If it happened] after nightfall, lo, this is a valid *erub*.
  - H If it is a matter of doubt,
  - I R. Meir and R. Judah say, "Lo, it is like the ass driver and camel driver."
  - J R. Yose and R. Simeon say, "A matter of doubt concerning an *erub* is resolved in favor of fitness."
  - K Said R. Yose, "Abtulemos gave testimony in the name of five elders concerning a matter of doubt in regard to an *erub*, that it is resolved in favor of fitness."
- **3:5** A A man stipulates concerning his *erub* and says, "If gentiles come from the east, my *erub* is at the west.
  - B "[If they come] from the west, my *erub* is at the east."
  - C "If they come from both directions, then to the place which I shall choose shall I go.
  - D "If they come from neither side, lo, I am in the status of the other people of my town."
  - E "If a sage comes from the east, my *erub* is at the east.
  - F "If he comes from the west, my *erub* is at the west.
  - G "If one comes from both directions, then to the place which I shall choose I shall go.
  - H "If he comes from neither side, lo, I am in the status of the other people of my town."
  - I R. Judah says, "If one of them was his master, he goes to his master.
  - J "If both of them were his masters, to the place which he shall choose he goes."

- **3:6** A R. Eliezer says, "In connection with a festival day adjacent to the Sabbath, whether before or after it, a man prepares two *erubs* and says,
  - B "'My *erub* for the first day is at the east, and for the second it is at the west.'
  - C "'For the first it is at the west and for the second it is at the east.'
  - D "'My *erub* is for the first day, and the second leaves me in the status of the others who dwell in my town.'
  - E "'My *erub* is for the second day, and the first leaves me in the status of the others who dwell in my town.'"
  - F And sages say, "He makes an *erub* for a single direction.
  - G "Or he does not make an *erub* at all [vs. B, C].
  - H "He either makes an *erub* for both days,
  - I "Or he does not make an *erub* at all [vs. D, E].
  - J "What should he do?
  - K "He sends it on the first day [to the point he wants], awaits nightfall for it, takes it, and goes along.
  - L "And on the second day he awaits nightfall for it, then he eats it.
  - M "He turns out to profit from his journeying and to profit from his *erub*.
  - N "[If] it was eaten on the first day, his *erub* is for the first day, and it is not an *erub* for the second day."
  - O Said to them R. Eliezer, "You concede to me then that they are two [distinct periods of] sanctification."
- **3:7** A R. Judah says, "As to a New Year at which one suspected [the month] might be intercalated [so that the New Year would be observed on the 30<sup>th</sup> of Elul and on the 1<sup>st</sup> of Tishre],
  - B "a man prepares two *erubs* and says,
  - C "'My *erub* for the first day is at the east, and for the second is at the west.'
  - D "'My *erub* for the first day is at the west and for the second is at the east.'
  - E "'My *erub* is for the first day, and for the second, I am in the status of the other people who dwell in my town.'
  - F "'My *erub* is for the second day, and for the first, I am in the status of the other people who dwell in my town.'"
  - G But sages did not concur with him.
- **3:8** A And further did R. Judah say, "A man stipulates [on the New Year] about a basket of produce on the first day of a festival and eats it on the second.
  - B "And so too an egg born on the first day of the festival [of the New Year] may be eaten on the second."
  - C But sages did not concur with him.
- **3:9** A R. Dosa b. Harkinas says, "He who goes before the ark on the first day of the New Year says,
  - B "Give us strength, Lord our God, on this first day of the month,
  - C "whether it is today or tomorrow.'
  - D "On the next day he says, 'If it is today or yesterday.'"
  - E And sages did not concur with him.

#### **4:1** A He whom gentiles took forth [beyond the Sabbath limit],

- B or an evil spirit,
- C has only four cubits [in which to move about].
- D [If] they brought him back, it is as if he never went out.
- E [If] they carried him to another town,
- F or put him into a cattle pen or a cattlefold,
- G Rabban Gamaliel and R. Eleazar b. Azariah say, "He may walk about the entire area."
- H R. Joshua and R. Aqiba say, "He has only four cubits [in which to move about]."
- I  $M'SH \check{S}$ : They came from Brindisi [Brundisium] and their ship was sailing at sea.
- J Rabban Gamaliel and R. Eleazar b. Azariah walked about the whole ship.
- K R. Joshua and R. Aqiba did not move beyond four cubits.
- L For they wanted to impose a strict ruling on themselves.
- **4:2** A On one occasion they did not enter the harbor until it had gotten dark [on Friday night].
  - B They said to Rabban Gamaliel, "Is it all right for us to disembark?"
  - C He said to them, "It is all right, for beforehand I was watching, and we were within the Sabbath limit before it got dark."
- **4:3** A He who went forth [beyond the Sabbath line] on a permissible mission,
  - B but they said to him, "The deed already has been done,"
  - C has two thousand cubits in every direction [in which to walk about].
  - D If he was within the Sabbath line, it is as if he never went forth.
  - E For all those who go forth to save [someone in danger] may go back to their place.
- **4:4** A "He who took up a resting place while on the road [on the eve of Sabbath at twilight, and there acquired the place where he would spend the Sabbath],
  - B "and [at dawn] got up and saw, and lo, he is near a town,
  - C "since it was not his intention [to enter that town],
  - D "he may not enter the town," the words of R. Meir.
  - E R. Judah says, "He may enter it."
  - F Said R. Judah, "Such a case happened, and R. Tarfon entered a town which he had not previously intended [to make his Sabbath residence]."
- 4:5 A He who fell asleep on the way, and did not realize that it had gotten dark,
  - B "has two thousand cubits in every direction," the words of R. Yohanan b. Nuri.
  - C But sages say, "He has only four cubits."
  - D R. Eliezer says, "And he is [deemed standing] in the middle of them."
  - E R. Judah says, "To whichever direction he wants he may go."
  - F And R. Judah concedes that if he made a choice for himself, he cannot then retract his choice.
- **4:6** A [If] there were two persons—
  - B part of [the four] cubits of this one are in the [four] cubits of that one—
  - C they bring [their food] and eat in the middle,
  - D on condition that this one not take something out of his area and put it into the area of his fellow.
  - E [If] there were three, with the [limit of the] one in the middle wholly overlapped by the limits of the other two,

- F [the one in the middle] is permitted [to eat] with them, and they are permitted [to eat with him].
- G And the two outer ones are prohibited [to eat] with one another.
- H Said R. Simeon, "To what is the matter comparable?
- I "To three courtyards open to one another and open to the public way.
- J "[If] two of them were covered by an *erub* with the one in the middle, that one in the middle is permitted [access] to both of them, and they are permitted [access] to it.
- K "But the two outside courtyards are prohibited [access] from one to the other."
- **4:7** A He who was coming along the way and darkness overtook him,
  - B and who knew about a certain tree or a fence and said,
  - C "My place of residence for the Sabbath will be under it,"
  - D has said nothing at all.
  - E [If he said], "My place of residence for the Sabbath is at its root,"
  - F he may then go from the place at which he is standing to the root, for a distance of two thousand cubits, and from the location of its root up to his house, for two thousand cubits.
  - G So he turns out to have the right to go four thousand cubits after it gets dark.
- **4:8** A If he does not recognize [any landmark],
  - B or he is not an expert in the law,
  - C and [if he] said, "My place of Sabbath residence is in the place where I am now located," he has acquired two thousand cubits in all directions from the place where he is located—
  - D "As though it were a circle," the words of R. Hanina b. Antigonos.
  - E And sages say, "As though it were a square,
  - F "like a square tablet—
  - G "so that he may enjoy the benefit of the corners."
- **4:9** A This is the meaning of that which they have said:
  - B "The poor man makes an *erub* with his feet."
  - C Said R. Meir, "We have only the poor man [to whom to apply the rule]."
  - D R. Judah says, "All the same are the poor man and the rich man:
  - E "They ruled that they make an *erub* with a loaf of bread only to make things easier for the rich man.
  - F "So that he should not have to go out and make an *erub* with his feet."
- **4:10** A "He who went forth to go to a town with which [the people of his town] were making an *erub*,
  - B "and his friend made him come back—
  - C "he is permitted to go [to the other town on the Sabbath].
  - D "But all the other people of his town are prohibited from doing so," the words of R. Judah.
  - E R. Meir says, "Anyone who could have made an *erub* and did not make an *erub*, lo, this one is like the ass driver and the camel driver."
- **4:11** A He who went beyond the Sabbath line, even by a single cubit, should not reenter.
  - B R. Eliezer says, "[If he went out] for two cubits, he may reenter. [If he went out] for three, he may not reenter."
  - C He who was overtaken by darkness outside of the Sabbath limit, even by a single cubit, may not reenter.

- D R. Simeon says, "Even if he is fifteen cubits outside, he may reenter.
- E "For surveyors do not measure exactly, for the benefit of people who err."
- **5:1** A How do they augment towns [extending their limits for purposes of defining the Sabbath line]?
  - B [If among the houses at the outskirts] one house recedes and one house projects,
  - C [or] a turret [of the town wall] recedes and part projects,
  - D [if] there were there ruins ten handbreadths high,
  - E or bridges or sepulchres containing a dwelling house,
  - F they extend the measure outward so as to take account of them.
  - G And they make it [the Sabbath limit of the area of the town] as if it were shaped like a square tablet,
  - H so that [the town's people] may gain the benefit of the corners.
- **5:2** A "They assign the outer area [of seventy and two-thirds cubits] to the town," the words of R. Meir.
  - B And sages say, "They referred to the outer area only when it falls between two towns.
  - C "If this one [has a further area of] seventy cubits and two-thirds and that one [has a further area of seventy cubits and two-thirds], they assign an outer area to each town,
  - D "so that they may form one domain."
- **5:3** A And so is the rule for three villages arranged in a triangle:
  - B if there is a distance between the two outermost ones a distance of one hundred forty-one and a third cubits,
    - C the middle village makes all three of them to form one domain.
- **5:4** A They measure only with a rope fifty cubits long,
  - B no less, no more.
  - C And one measures only [with the rope held] at a level with his heart.
  - D [If] one was measuring and reached a valley or a fence,
  - E he takes count only of the horizontal span and continues his measuring.
  - F [If] he came to a mountain, he takes account only of the horizontal span and continues his measuring.
  - G And this is on condition that he does not go outside the Sabbath limit.
  - H If he cannot take account of the horizontal span,
  - I in this case, said R. Dosetai b. R. Yannai in the name of R. Meir, "I heard that they treat hills as though they were pierced."
- **5:5** A They measure only by an expert.
  - B [If] one extended the limit more in one place and less in another place, they observe the greater measure.
  - C [If] there was a greater distance for one [expert], and a lesser distance for another,
  - D they observe the greater measure.
  - E Even a slave, even a slave girl, are believed to state, "Up to this point is the Sabbath line."
  - F For sages did not rule in this matter to impose a strict ruling, but to impose a lenient one.
- **5:6** A A town belonging to a single owner which was converted into public domain [with many owners]—

- B they prepare an *erub* covering the whole of it.
- C And one which was public domain and was converted into [private domain] one belonging to a single owner—
- D they do not prepare an *erub* covering the whole,
- E unless one excluded a section of it
- F "[of the size of] the town of Hadashah in Judah, in which there were fifty residents," the words of R. Judah.
- G R. Simeon says, "Three courtyards, each containing two houses."
- 5:7 A He who was in the east and said to his son, "Prepare an *erub* for me in the west,"
  - B in the west and said to his son, "Prepare an *erub* for me in the east,"
  - C if the distance between him and his house is two thousand cubits, and between him and his *erub* is more than this distance,
  - D he is permitted to go to his house and prohibited from going to his *erub*.
  - E [If] to his *erub* was a distance of two thousand cubits and to his house a distance greater than that,
  - F he is prohibited from going to his house and permitted to go to his *erub*.
  - G He who places his *erub* in the extended area [seventy and two-thirds cubits of the outer area] of the town has done nothing whatsoever.
  - H [If] he placed it beyond the Sabbath line,
  - I even by a single cubit,
  - J what he gains [in one direction] he loses [in the other direction].
- **5:8** A The people of a large town traverse the entire area of a small town [located within the limits of the large town],
  - B and the people of the small town may not traverse the entire area of the large town.
  - C How so?
  - D He who was in a large town but placed his *erub* in a small town [therein],
  - E in a small town and placed his *erub* in a large town,
  - F traverses the entire area and two thousand cubits beyond.
  - G And R. Aqiba says, "He has only two thousand cubits from the location of his *erub*."
- **5:9** A Said to them R. Aqiba, "Now do you not concede to me that in the case of one who places his *erub* in a cave, he may go only two thousand cubits from the place at which his *erub* is located?"
  - B They said to him, "Under what circumstances?
  - C "When there are no inhabitants in it.
  - D "But if there are inhabitants in it, he traverses the entire area and two thousand cubits beyond its Sabbath line.
  - E "It turns out to be more lenient [for him who puts his *erub*] inside [the cave] than [for him who puts his *erub*] on top of it."
  - F As to the one who measures, concerning whom they have spoken,
  - G they assign to him only two thousand cubits,
  - H even if his measuring rope ends in a cave [even an inhabited one].
- **6:1** A "He who dwells in the same courtyard with a gentile,
  - B "or with [an Israelite] who does not concede the validity of the *erub*—

- C "lo, this one [the gentile or nonbeliever] restricts him [from using the courtyard]," the words of R. Meir.
- D R. Eliezer b. Jacob says, "Under no circumstances does any one prohibit [the believer in the *erub* to make use of the courtyard] unless two Israelites prohibit one another."
- **6:2** A Said Rabban Gamaliel, *M'SH B*: "A Sadducean lived with us in the same alleyway in Jerusalem.
  - B "And father said to us, 'Make haste and bring all sorts of utensils into the alleyway before he brings out his and prohibits you [from carrying about in it].'"
  - C R. Judah says it in another version, "Make haste and do all your needs in the alleyway before he brings out his utensils and prohibits you [from using it]."
- **6:3** A The men of a courtyard, one of whom forgot and did not participate in the *erub* with the others—
  - B his house is prohibited, both for him and for them, from bringing things in and from taking things out.
  - C And theirs are permitted both for him and for them.
  - D [If they gave him their right [of access], he is permitted, and they are prohibited.
  - E [If they were two [who forgot], they prohibit one another.
  - F For one person gives or takes the right of access.
  - G But [while] two can give the right of access, they cannot take it.
- **6:4** A At what time do they give [the right of access]?
  - B The House of Shammai say, "While it is still day."
  - C And the House of Hillel say, "After it has gotten dark."
  - D He who gave his right of access and then took something out,
  - E "whether he did so inadvertently or deliberately,
  - F "lo, this one prohibits [the others]," the words of R. Meir.
  - G R. Judah says, "[If he did so] deliberately, he prohibits the others. [If he did so] inadvertently, he does not prohibit the others."
- 6:5 A A householder who was a jointholder [in a commercial relation] with neighbors—
  - B with one in wine and with the other in wine—
    - C they do not need to prepare an *erub*.
    - D [If one partnership] is in wine and the other is in oil,
    - E they do need to prepare an *erub*.
    - F R. Simeon says, "All the same is the rule for this case and for that case, [if they are jointholders], they do not need to prepare an *erub*."
- **6:6** A Five associations who observed the Sabbath in one eating hall—
  - B the House of Shammai say, "An *erub* [is required] for each and every association."
  - C And the House of Hillel say, "One *erub* serves all of them."
  - D But they concur that, when part of them are staying in private rooms or upper chambers, they require an *erub* for each and every association.
- 6:7 A Brothers [delete: who were in partnership] who ate at the table of their father but who slept in their respective houses
  - B require an *erub* for each one.

- C Therefore if one of them forgot and did not prepare an *erub*,
- D he annuls his right [in the common courtyard, so the others may carry therein].
- E Under what circumstances?

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- F When they bring their *erub* to some other place.
- G But if the *erub* was brought to them,
- H or if there were no [other] residents with them in the courtyard,
- I they do not have to prepare an *erub*.
- A Five courtyards open to one another and open to an alley—
  - I B [if] they prepared an *erub* for the courtyards but did not prepare a *shittuf* for the alley,
    - C they are permitted to carry things about in the courtyards and prohibited from doing so in the alley.
    - D And if they prepared a *shittuf* for the alley, they are permitted in both places.
    - E [If] they prepared an *erub* in the courtyards and prepared a *shittuf* in the alley,
    - F but [if] one of the people who live in the courtyard forgot and did not share in the *erub*,
      - G the [other residents] are permitted both here and there.
  - III H [If one of] the people, who lives in the alleyway, [forgot and] did not participate in the *shittuf*,
    - I they are permitted to carry things in the courtyards but prohibited from doing so in the alleyway.
    - J For the alleyway is to courtyards as a courtyard is to houses.

#### **6:9** A Two courtyards, one inside the other—

- B [the people of] the inner one prepared an *erub*, but [the people of] the outer one did not prepare an *erub*,
  - C the people in the inner courtyard are permitted [to carry things], and the people in the outer courtyard are prohibited [from doing so].
- II D [If the people of the] outer [courtyard prepared an *erub*] but [the people of the] inner one did not, then both of them are prohibited [from carrying things about].
- III E [If] this one prepared an *erub* for itself and that one prepared an *erub* for itself,
  - F [the area of] this one is permitted by itself, and that one is permitted by itself.
    - G R. Aqiba prohibits in the case of the outer one.
    - H For the right of access restricts it.
    - I And sages say, "The right of access does not restrict it."

**6:10** I A [If] one of the people in the outer courtyard forgot and did not join in the *erub*, the inner one is permitted, and the outer one is prohibited.

- II C [If one of the people in the] inner [courtyard forgot and] did not prepare an *erub*, D both of them are prohibited.
- III E If they made their *erub* in a single location, and someone forgot [to participate],
  - F whether [he lived] in the inner courtyard or in the outer courtyard,
    - G and he did not join in the *erub*,
    - H both of them are prohibited.
    - I But if the [courtyards] belonged [wholly] to individuals, they do not have to prepare an *erub*.

- 7:1 A A window [in the dividing wall] which is between two courtyards,
  - B four handbreadths square, within ten handbreadths [of the ground]—
  - C they [the two courtyards] make an *erub* individually.
  - D But if they wanted, they make a single *erub* [for both areas].
  - E [If it is] less than four handbreadths square or [if it is] above the ground by more than ten handbreadths,
  - F they make an *erub* individually, and they do not make an *erub* jointly.
- 7:2 A A wall between two courtyards,
  - B ten handbreadths high and four broad—
    - C they make an erub individually, and they do not make a single *erub* [for both courtyards].
    - D [If] there was produce on top of it, these climb up from this side and eat it, and those climb up from that side and eat it,
    - E on condition that they not bring [the fruit] down.
    - F [If] the wall was breached to a height of less than ten cubits [from the ground],
    - G they make an erub individually.
    - H But if they wanted, they make a single erub [jointly],
    - I because it is equivalent to a doorway.
    - J [But if the breach is] larger than this, they must make an *erub* jointly, and they do not make an *erub* individually.
- **7:3** A A trench which is between two courtyards,
  - B ten handbreadths deep and four broad—
  - C they make an erub individually, and they do not make a single *erub*,
  - D even if it is full of straw or chopped hay.
  - E [If] it was filled up with dirt or stones, they make an *erub* jointly, and they do not make an erub individually.
- 7:4 A [If] one put over it [the trench] a board four handbreadths broad,
  - B and so: two balconies opposite one another [connected by a board]—
    - C they make an *erub* singly.
    - D But if they wanted, they make an *erub* jointly.
    - E [If it was] less than this, they make an *erub* individually and they do not make an *erub* jointly.
- **7:5** A A heap of straw which is between two courtyards,
  - B ten handbreadths high—
    - C they make an *erub* individually, and they do not make an *erub* jointly.
    - D These feed their cattle on one side, and those feed their cattle on the other side.
    - E [If] the straw diminished to a height of less than ten handbreadths,
    - F they make an *erub* jointly, and they do not make an *erub* individually.
- **7:6** A How do they make a partnership [a *shittuf*] in an alleyway?
  - B One [of the residents] sets down a jar [of food or drink] and states, "Lo, this belongs to all the residents of the alleyway."
  - C And thus he effects possession for them through his adult son or daughter, his Hebrew slave boy or slave girl, or his wife.

- D But he does not effect possession in their behalf by means of his minor son or daughter, or by means of his Canaanite slave boy or slave girl,
- E because their hand is as his hand.
- **7:7** A [If] the food diminished in volume [to less than the prescribed quantity], one adds to it and effects possession for the others.
  - B And he need not inform them.
  - C [But if] the number [of residents of the alleyway] became larger, one adds to the food and effects possession for them.
  - D And he does need to inform them.
- **7:8** A What is its prescribed volume?
  - B When the [residents] are numerous, food sufficient for two meals for all of them.
  - C When they are few in numbers, a dried fig's bulk—
  - D such that may be taken out on the Sabbath—
  - E for each and every one.
- **7:9** A Said R. Yose, "Under what circumstances?
  - B "At the beginning of [preparing] the *erub*.
  - C "But for what is added [later on] to the *erub*, any amount at all [will do].
  - D "For they have spoken about preparing an *erub* for courtyards [in addition to the alleyway] only so that children will not forget."
- **7:10** A "With anything [which is edible] do they prepare an *erub* or a *shittuf*, except for water or salt," the words of R. Eliezer.
  - B R. Joshua says, "A loaf of bread is [what is to be used for] an *erub*.
  - C A baking, even of a whole *seah* of flour, if it is only part of a loaf—they do not make an *erub* with that.
  - D [But] a whole loaf [even] the size of a small coin which is whole—they do make an *erub* with that.
- **7:11** A "A man pays over a *maah*-coin to a storekeeper or to a baker so that he will acquire for him a portion in an *erub*," the words of R. Eliezer.
  - B And sages say, "His coins alone have not acquired for him [a portion in an *erub*]."
  - C But they concur that with any others [except for bakers], his coins do secure for him a share in the *erub*.
  - D For they prepare an *erub* for a man only with his knowledge and consent.
  - E Said R. Judah, "Under what circumstances? In the case of an *erub* serving or the mingling of Sabbath limits.
  - F "But in the case of *erubs* serving to join together courtyards, they prepare an *erub* for a man both with his knowledge and consent and without his knowledge and consent.
  - G "For they acquire a benefit for a man not in his presence.
  - H "But they do not exact a penalty for a man not in his presence."
- **8:1** A How do they prepare a *shittuf* for the Sabbath line?
  - B One puts down a jug [of food of some sort] and says, "Lo, this belongs to all the residents of my town,"
    - C "to whoever goes to the house of mourning" or "to the house of celebration."

- D Whoever accepted for himself [a share in the ownership of this meal] while it was still day is permitted [to walk to the limit of two thousand cubits from the location of the *shittuf*].
- E [But whoever accepts for himself ownership] after it gets dark is prohibited [from doing so],
- F for they do not prepare an *erub* once it gets dark.
- **8:2** A What is its requisite measure?
  - B Food sufficient for two meals for each one,
  - C "[composed of] the food he eats on an ordinary day and not on the Sabbath," the words of R. Meir.
  - D R. Judah says, "On the Sabbath and not on an ordinary day."
  - E And this one and that one intend [thereby] to give a lenient ruling.
  - F R. Yohananb Beroqah says, "[Not less than] a loaf worth a *pondion*, from wheat at one *sela* for four *seahs* of flour."
  - G R. Simeon says, "Two-thirds of a loaf of a size of three to a *qab*.
  - H Half of that measure is what is required for a house afflicted with a *nega*, and half of that is the measure to invalidate the [person's] body [for the eating of food in the status of heave offering].
- **8:3** A The residents of a courtyard and the residents of a gallery [above a courtyard] who forgot and did not prepare an *erub* [joining the courtyard and the gallery]—
  - B all the area [for example, a mound or pillar] which is above ten handbreadths is assigned to the gallery.
  - C [All the area] lower than this is assigned to the courtyard.
  - D The bank around a cistern and the stone, [if] higher than ten handbreadths, are assigned to the gallery.
  - E [If] lower than that, they are assigned to the courtyard.
  - F Under what circumstances?
  - G In the case of what adjoins (the gallery].
  - H But in the case of that which is distant [separate from the gallery], even if it is ten handbreadths high, it is assigned to the courtyard.
  - I What is the definition of adjoining [the gallery]?
  - J Whatever is not distant by more than four handbreadths.
- **8:4** A He who places his *erub* in a gatehouse, portico, or gallery— it is not a valid *erub*.
  - B And he who lives there [in the gatehouse, portico, or gallery, and who does not share in the *erub*] does not prohibit him [from carrying objects in the courtyard].
  - C [He who places his *erub*] in a shed for straw, cattle, wood, or stores—lo, this is a valid *erub*.
  - D And he who lives there [in the straw shed, cattle shed, woodshed, or storage shed and who does not share in the *erub*] does prohibit him [from carrying objects in the courtyard].
  - E R. Judah says, "If the householder has the right of storage there, [the other] does not prohibit him [from carrying objects in the courtyard, since the householder now is part-owner of the shed]."
- **8:5** A "He who leaves his house and goes to spend the Sabbath in another town—
  - B "all the same are a gentile and an Israelite—

- C "lo, this one [who has not participated in the *erub* of the courtyard where his house is located] prohibits [the others from carrying about in the courtyard]," the words of R. Meir.
- D R. Judah says, "He does not prohibit [their carrying in the courtyard]."
- E R. Yose says, "A gentile prohibits, an Israelite does not prohibit [their carrying about on the Sabbath],
- F "for it is not usual for an Israelite to return [home] on the Sabbath."
- G R. Simeon says, "Even if he left his house and went to spend the Sabbath with his daughter in that very same town, he does not prohibit [the others from carrying in the courtyard],
- H "for he already has banished from his mind [the possibility of coming back on that Sabbath]."
- **8:6** I A A cistern which is between two courtyards—
  - B they do not draw water from it on the Sabbath,
  - C unless they made for it a partition ten handbreadths high,
  - D whether it is above, beneath, or within its rim.
  - E Rabban Simeon b. Gamaliel says, "The House of Shammai say, 'Below.'
  - F "And the House of Hillel say, 'Above.'"
  - G Said R. Judah, "The partition should not be [expected to be] more powerful than the wall which is between them."
- 8:7 II A A water channel which passes through a courtyard—
  - B they do not draw water from it on the Sabbath,
  - C unless they made for it a partition ten handbreadths high,
  - D at its entry point and at its exit point.
  - E R. Judah says, "The wall which is above it is regarded as a partition."
  - F Said R. Judah, "*M*'*SH B*: From the water channel of Abel did they draw water at the instruction of the elders on the Sabbath."
  - G They said to him, "It was because it was not of the requisite size [and so did not constitute *karmelit* (neutral domain)]."
- **8:8** III A A balcony which is above water—
  - B they do not draw water from it on the Sabbath,
  - C unless they made for it a partition ten handbreadths high,
  - D whether above or below.
  - E And so two balconies, one above the other—
  - F [If] they made [a partition] for the one on top and did not do so for the one on the bottom,
  - G both of them are prohibited—
  - H unless they prepare an *erub*.
- **8:9** A A courtyard which is less than four cubits [in area]—
  - B they do not pour slops into it on the Sabbath,
  - C unless they made for it a hole holding two *seahs* [in volume],
  - D from the edge downward,
  - E whether inside or outside [the courtyard].
  - F But: that which is outside one has to cover.
  - G And that which is inside one does not have to cover.

- 8:10 A R. Eliezer b. Jacob says, "A drain which is covered over for four cubits in the public domain—
  - B "they pour water [from the courtyard] into it on the Sabbath."
  - C And sages say, "Even if a roof or a courtyard is a hundred cubits [in area],
  - D "one should not pour water [directly] into the mouth of the drain.
  - E "But he pours it onto the roof, and the water goes down into the drain."
  - F The courtyard and the portico join together to constitute the four cubits.
- 8:11 A And so two stories [of habitations] opposite one another [separated by a courtyard of less than four cubits]—
  - B some made a hole, and some did not make a hole—
  - C those who made the hole are permitted [to throw out slops].
  - D And those who did not make a hole are prohibited [from doing so].
- **9:1** A "All roofs of a town are a single domain,
  - B "so long as one roof is not ten handbreadths higher or lower [than the others]," the words of R. Meir.
  - C And sages say, "Each and every one is a domain unto itself."
  - D R. Simeon says, "All the same are roofs, courtyards, and outer areas—
  - E "each constitutes a single domain in regard to utensils which have been kept for the Sabbath therein,
  - F "and not [a single domain] for utensils which have been kept for the Sabbath in the house."

### 9:2 A A large roof near a small one—

- B the large one is permitted [as an area for carrying], and [to take something from the large to] the small one is prohibited.
- I C A large courtyard [the wall of] which was breached [so as to give access] to a small one
  - D the large one is permitted, and the small one is forbidden.
  - E for it [the smaller roof or courtyard] is like a doorway to the large one.
- II F A courtyard which [on the Sabbath] was breached [so as to give access] to the public way [or to any other distinct domain]—
  - G "He who brings [objects] from within it to private domain, or from private domain into it, is liable," the words of R. Eliezer.
  - H And sages say, "[He who brings objects] from within it to the public way, or from the public way into it, is exempt,
  - I "for it [now] is like neutral domain."
- **9:3** III A A courtyard which [on the Sabbath] was breached [to give access] to public domain on two sides,
  - B and so too: a house which was breached on two sides,
  - C and so too: an alleyway the beams or sideposts of which have been removed—
  - D "they are permitted on that Sabbath but prohibited in time to come," the words of R. Judah.
  - E R. Yose says, "If they are permitted on that Sabbath, they are permitted in time to come.
  - F "And if they are prohibited in time to come, they are prohibited on that Sabbath."

- **9:4** A He who builds an upper room on top of two houses [opposite one another on a public road],
  - B and so too, viaducts—
  - C "They carry objects below them on the Sabbath," the words of R. Judah.
  - D And sages prohibit.
  - E And further did R. Judah say, "They prepare an *erub* for an alleyway which is a thoroughfare."
  - F And sages prohibit.

### **10:1** A He who finds *tefillin* [in the public way]

- B brings them in one by one.
- C Rabban Gamaliel says, "Two sets at a time."
- D Under what circumstances?
- E In the case of used ones.
- F But in the case of new ones, he is exempt [from the obligation of putting them in a protected place].
- G [If] he found them arranged in sets or in bundles,
- H he waits until darkness while standing over them and [then] he brings them in.
- I But in a situation of danger, he covers them up and goes along.
- **10:2** A R. Simeon says, "He hands them to his fellow, and he to his fellow, until it reaches the outermost courtyard of the town.
  - B "And so in the case of his son [who was born in the field on the Sabbath]:
  - C "He hands him over to his fellow, and his fellow, even one hundred."
  - D R. Judah says, "A man hands over a jug to his fellow, and his fellow to his,
  - E "even outside of the Sabbath line."
  - F They said to him, "This object should not go further than the feet of its master [may take it]."
- **10:3** A [If] he was reading in a scroll on the threshold,
  - B [and] it rolled out of his hand,
  - C he may roll it back to himself.
  - D [If] he was reading on the top of the roof, and the scroll rolled out of his hand,
  - E before it falls to within ten handbreadths [of the ground], he may roll it back to himself.
  - F Once it has fallen to within ten handbreadths [of the ground], he turns it over onto the written side [to protect it].
  - G R. Judah says, "Even if it is distant from the ground by only so much as a hair's breadth,
  - H "he may roll it back to himself."
  - I R. Simeon says, "Even if it has touched the ground itself, he may roll it back to himself.
  - J "For nothing which is prohibited by reason of Sabbath rest stands against the [honor due to] the Sacred Scriptures."
- 10:4 A A projection before a window—

Ι

- B they put things out on it and take things back from it on the Sabbath.
- C A man stands in private domain and moves something about in public domain,
  - D in public domain and moves something about in private domain,
  - E on condition that he not move the object outside of four cubits [from where he picked it up].

- **10:5** II A A man should not stand in private domain and urinate into public domain,
  - B in public domain and urinate into private domain.
  - C And so too he should not spit [across the Sabbath line].
  - D R. Judah says, "Also: he whose spit is loose in his mouth should not walk four cubits until he has spit it out."
- **10:6** III A A man should not stand in private domain and drink in public domain,
  - B in public domain and drink in private domain,
  - C unless he has poked his head and the greater part of his body into the same domain as that in which he drinks.
  - D And so in the case of a winepress.
  - E A man scoops up water out of a gutter less than ten handbreadths from the ground.
  - F And from a waterspout
  - G in any manner he may drink.
- **10:7** A A cistern in the public domain, with its surrounding bank ten handbreadths high—
  - B a window which is above it—
  - C they draw water from it on the Sabbath.
  - D A garbage dump in the public domain ten handbreadths high—
  - E a window which is above it—
  - F they pour out slops into it on the Sabbath.
- **10:8** A A tree which overshadows the ground—
  - B if its foliage was not three handbreadths above the ground,
  - C they carry under it.
  - D [If] its roots are three handbreadths above the ground,
  - E one should not sit on them.
  - F [With] a [movable] door in the rear court—
  - G [with] bundles of briars in a breach—
  - H or with mats—
  - I they do not stop up an opening [with them],
  - J unless they are raised above the ground.
- **10:9** A "A man should not stand in private domain and open [a door] in public domain,
  - B "in public domain and open a door in private domain,
  - C "unless he has made a partition ten handbreadths high," the words of R. Meir.
  - D They said to him, *M'SH B*: In the poulterers' market in Jerusalem they used to shut up their shops and leave the key in the window above the door."
  - E R. Yose says, "It was the market of the wool dealers."
- **10:10** A A bolt with a knob on its end—
  - B R. Eleazar prohibits.
  - C And R. Yose permits.
  - D Said R. Eleazar, *M'SH B*: "In the synagogue in Tiberias they permitted [using it on the Sabbath],
  - E "until Rabban Gamaliel and elders came and prohibited it for them."
  - F R. Yose says, "They treated it as prohibited. Rabban Gamaliel and the elders came and permitted it for them."

10:11	Ι	А	A bolt which is dragged on the ground—	
		В	they lock the doors with it in the Temple but not in the provinces.	
		С	And one which rests on the ground [not fastened] both here and there is prohibited.	
		D	R. Judah says, "The one which rests on the ground is permitted in the Temple,	
		E	"and the one which is dragged on the ground [is permitted] in the provinces."	
10:12	II	А	They put back [into its sock] the lower pivot [of a door] in the Temple but not in	
		п	the provinces;	
		B	And the upper pivot of a door both here and there is prohibited.	
		С	R. Judah says, "The upper one, in the Temple, and the lower one, in the provinces."	
10:13	III	А	They put back a plaster [on a wound] in the Temple but not in the provinces.	
		В	And to begin with here and there it is prohibited [to apply a plaster].	
	IV	С	They tie a string [of a musical instrument] in the Temple but not in the provinces.	
		D	And to begin with here and there it is prohibited (to tie up a string].	
	V	E	They cut off a wen in the Temple but not in the provinces.	
		F	But if it is [done] with a utensil, here and there it is prohibited [to cut off a wen].	
10:14	VI	А	A priest who hurt his finger—	
		В	one ties reed grass around it in the Temple but not in the provinces.	
		С	But if it is to remove blood, here and there it is prohibited.	
		D	They scatter salt on the [altar] ramp so that they will not slip.	
		E	And they draw water from the cistern of the Exiles and from the great cistern with a waterwheel on the Sabbath,	
		F	and from the Haqqar Well on a festival day.	
10:15	А	"A de	ad creeping thing which is found in the Temple—	
20020	B		iest removes it with his belt [even on the Sabbath],	
	С		not to keep uncleanness [in the Temple]," the words of R. Yohanan b. Beroqah.	
	D	R. Judah says, "[He does so] with a wooden tongs, so as not to increase uncleanness [by		
			ting it to his belt]."	
E		From what areas do they remove it?		
	F	"From the sanctuary, the porch, and the area between the porch and the altar," the words of R. Simeon b. Nanos.		
	G	R. Aq	iba says, "A place in which [if a man entered while unclean] deliberately, he is liable	
		for ex	tirpation, and inadvertently, he is liable to a sin offering—	
	Η	"from	there do they remove it.	
	Ι	"But a	all other locations [in the Temple], they simply turn over a <i>psykter</i> onto it."	
	J	R. Sin	neon says, "Wherever sages have permitted something to you, they have given you	
		what a	already is yours.	
	Κ		hey have permitted to you only [what was withheld to begin with] by reason of th rest."	

# PESAHIM

- **1:1** A On the night preceding the fourteenth [of Nisan] they seek out leaven by the light of a candle.
  - B Any location into which [people] do not [ordinarily] bring leaven does not require examination.
  - C And why did they say, "Two rows in a wine vault [must be searched out]"?
  - D [This designates] a place into which they bring leaven.
  - E The House of Shammai say, "Two rows over the entire surface of [the rack of jars in] the wine vault."
  - F And the House of Hillel say, "The two outermost rows which are uppermost."
- **1:2** A They do not scruple that a weasel might have dragged [leaven] from house to house and place to place.
  - B For if so, [they will have to scruple that the weasel has dragged leaven] from courtyard to courtyard and from town to town,
  - C [so] there is no end to the matter.
- **1:3** A R. Judah says, "They seek out [leaven] (1) on the night of the fourteenth, (2) on the fourteenth in the morning, and (3) at the time of removal."
  - B And sages say, "[If] one did not seek out [leaven] on the night of the fourteenth, he may seek it out (1) on the fourteenth.
  - C "If he did not seek it out on the fourteenth, let him seek it out (2) at the appointed time [11 A.M. to 12 noon on the fourteenth].
  - D "[If] he did not seek it out at the appointed time, let him seek it out (3) after the appointed time [to nightfall]."
  - E And what he wishes to hold over [for food until the time for burning leaven], let him leave in a discrete place,
  - F so that it shall not require examination afterward.
- **1:4** A R. Meir says, "They eat [leaven] throughout the fifth [hour on the fourteenth of Nisan], and they burn it at the beginning of the sixth hour [noon]."
  - B And R. Judah says, "They eat [leaven] through the fourth hour, keep it in suspense throughout the fifth hour, and burn it at the beginning of the sixth hour."
- **1:5** A And further did R. Judah say, "Two loaves of bread of a thank offering which were invalid were left lying on the roof of the portico [of the Temple].
  - B "So long as they are lying there, everybody eats [leaven].
  - C "[When] one of them is removed, they suspend and do not eat [leaven] but also do not burn it.
  - D "[When] the second one of them is removed, everybody began burning [the leaven]."
  - E Rabban Gamaliel says, "[Leaven] in the status of unconsecrated food is eaten through the fourth hour, and [leaven in the status of] heave offering through the fifth. Then they burn at the beginning of the sixth hour."
- **1:6** A R. Hananiah, Prefect of the priests, says, "In the days of the priests they never refrained from burning meat which had been made unclean by an Offspring of uncleanness with meat which had been made by a Father of uncleanness,
  - B "even though they [thereby] add uncleanness to its uncleanness [that of the meat made unclean by an Offspring of uncleanness]."

- C Added R. Aqiba and said, "In the days of the priests they never refrained from burning oil [in the status of heave offering] made invalid by one who had immersed in that same day, in a lamp which had been made unclean by one who had contracted corpse uncleanness,
- D "even though they [thereby] add uncleanness to its uncleanness [that of the heave offering oil invalidated by one who had immersed on that same day]."
- **1:7** A Said R. Meir, "From their opinions we learn that they burn [leaven in the status of] heave offering which is [cultically] clean with that which is [cultically] unclean on Passover."
  - B Said to him R. Yose, "That is not the right conclusion [to draw by analogy from the opinions of Hananiah and Aqiba].
  - C "'For R. Eliezer and R. Joshua concur that they burn this by itself and that by itself.
  - D " 'Concerning what did they differ?
  - E "'Concerning that whose status [as to cultic cleanness] was subject to suspension and concerning that which is certainly cultically unclean.'
  - F "For R. Eliezer says, 'This is to be burned by itself, and that is to be burned by itself.'
  - G "And R. Joshua says, 'Both of them together [are to be burned]."
- **2:1** A So long as it is permitted to eat [leaven],
  - B one feeds [it] to domestic cattle, to a wild beast, and to fowl.
  - C And he sells it to a gentile,
  - D And it is permitted to derive benefit from it.
  - E Once its time has passed,
  - F it is forbidden to derive benefit from it.
  - G And one should not kindle an oven or a double stove with it.
  - H R. Judah says, "The only valid form of removal of leaven is through burning."
  - I And sages say, "One also may crumble it up and scatter it in the wind or toss it into the sea."
- **2:2** A Leaven belonging to a gentile which has remained over Passover
  - B one is permitted to derive benefit from it.
    - C But that of an Israelite—
    - D one is prohibited to derive benefit from it,
    - E since it is said, *Let it not be seen with you* (Ex. 13:7).
- 2:3 A A gentile who lent money to an Israelite on the security of his [the Israelite's] leaven—
  - B after Passover, it is permitted [for an Israelite] to derive benefit from it.
  - C And an Israelite who lent money to a gentile on the security of his leaven—
  - D after Passover, it is prohibited [for an Israelite] to derive benefit from it.
  - E Leaven on which a house fell down in ruins—lo, it is tantamount to having been removed.
  - F Rabban Simeon b. Gamaliel says, "Anything which the dog cannot scratch up [is deemed to have been legally removed]."
- **2:4** A He [who is not a priest] who on Passover inadvertently eats leaven which is in the status of heave offering
  - B pays the principal [which he consumed] and a penalty of an added fifth [of the value of the principal].
  - C [If he did so] deliberately, he is exempt from the requirement to make restitution,
  - D and [even] from repaying its value when it is assessed merely for use as wood [fuel].

- **2:5** A These are types [of grains through bread made from which] a person fulfills his obligation [to eat unleavened bread] on Passover:
  - B (1) wheat, (2) barley, (3) spelt, (4) rye, and (5) oats.
  - C And [people] fulfill [this same obligation] through [grain] which has been only doubtfully tithed, through first tithe the heave offering of which has been removed, and through second tithe and food which has been consecrated, which have been redeemed;
  - D and priests [do so] through [unleavened bread deriving from] dough offering and through [unleavened bread] in the status of heave offering.
  - E [But people do] not [fulfill this obligation through eating unleavened bread] from which tithes have not been removed at all, first tithe from which heave offering has not been removed, second tithe and food which has been consecrated, which have not been redeemed.
  - F [Unleavened] loaves brought with a thank offering and wafers of a Nazir—
  - G [if] he made them for his own use [as his sacrifice], they do not fulfill their obligation through eating them.
  - H [If] he made them for sale in the marketplace, they do fulfill their obligation through eating them.
- **2:6** A And these are herbs through [eating of] which a person fulfills his obligation on Passover:
  - B (1) lettuce, (2) chicory, (3) pepperwort, (4) endives, and (5) dandelion.
  - C They fulfill their obligation by eating them, whether they are (1) fresh or (2) dried,
  - D but not [if they are] pickled [in vinegar], (4) stewed, or (5) cooked.
  - E And they join together to form the requisite volume of an olive's bulk.
  - F And they fulfill their obligation by eating their stalks,
  - G and [if they are] in the status of produce which has not been fully tithed, first tithe the heave offering of which has been removed, and second tithe and food which has been consecrated, which have been redeemed.
- **2:7** A They do not soak bran for fowl,
  - B but they scald [it].
  - C A woman should not soak bran which she takes with her to the bathhouse.
  - D But she rubs it dry on her skin.
  - E A person should not chew grains of wheat to put on his sore on Passover,
  - F because they ferment.
- **2:8** A They do not put meal into *haroset* or into mustard.
  - B But if one has put it in, he must eat it forthwith.
  - C And R. Meir prohibits [eating it].
  - D They do not boil the Passover lamb in [one of the seven specified] liquids or in fruit juice.
  - E But they baste it or dip it in them.
  - F Water used by a baker must be poured out,
  - G because it ferments.
- **3:1** A These [things] are removed at Passover:
  - B (1) Babylonian porridge, (2) Median beer, (3) Edomite vinegar, (4) Egyptian barley beer;
  - C (5) dyers' pulp, (6) cooks' starch flour, and (7) scribes' paste.
  - D R. Eliezer says, "Also: Women's makeup."

- E This is the general principle: Whatever is made of any kind of grain, lo, this is removed on Passover.
- F Lo, these matters are subject to a prohibition.
- G But extirpation does not apply to them.
- **3:2** A Dough which is in the cracks of a kneading trough,
  - B if there is an olive's bulk in a single place—
  - C one is liable to remove it.
  - D And if not, it is deemed null by reason of its inconsequence.
  - E And so with regard to uncleanness:
  - F if one is fastidious about it, it interposes.
  - G And if he wants to keep it, lo, it is deemed equivalent to [and part of] the kneading trough.
  - H Dough which is 'dumb'—
  - I if an equivalent amount has already fermented,
  - J lo, this is prohibited.
- **3:3** A How [on the festival] do they set apart the dough-offering [if the dough is in a state of] uncleanness?
  - B R. Eliezer says, "She should not designate [the dough-offering] before it is baked."
  - C R. Judah b. Betera says, "She should put it into cold water."
  - D R. Joshua says, "This is not the sort of leaven concerning which people are warned under the prohibitions, *Let it not be seen* (Ex. 13:7), and *Let it not be found* (Ex. 12:19).
  - E "But she separates it and leaves it until evening.
  - F "And if it ferments, it ferments."
- **3:4** A Rabban Gamaliel says, "Three women knead dough together and [then] bake in the oven one after the other in sequence."
  - B And sages say, "Three women work with the dough. One kneads, while the next rolls out, and the third bakes."
  - C R. Aqiba says, "All women, all wood, and all ovens are not to be taken as equivalent.
  - D "This is the general rule: [If] the dough swells, let her slap it with cold water."
- **3:5** A "Dough beginning to ferment is to be burned, but the one who eats it is exempt.
  - B "Dough which is wholly fermented must be burned, and the one who eats it is liable to extirpation.
    - C "What is the definition of dough beginning to ferment?
    - D "That [on which streaks begin to appear] like locust's horns.
    - E "And that which is wholly fermented?
    - F "Dough on which the cracks are all entangled together," the words of R. Judah.
    - G And sages say, "As to both this one and that one, the one who eats it is liable to extirpation."
    - H And what is the definition of that which is beginning to ferment?
    - I Dough whose surface turns white like a man whose hair stands on end.
- **3:6** A The fourteenth [of Nisan] which coincides with the Sabbath—
  - B they remove all [the leaven]
  - C "before the Sabbath," the words of R. Meir.
  - D And sages say, "At its proper time."

- E R. Eleazar b. R. Sadoq says, "[Leaven which is] heave offering is to be removed before the Sabbath, and that which is unconsecrated should be removed at its proper time."
- **3:7** I A He who goes to slaughter his Passover lamb, to circumcise his son, or to eat the betrothal meal at his father-in-law's house,
  - B and remembers that he has left some leaven in his house,
  - C if he can go back and remove it and go on to do his religious duty, let him go back and remove it.
  - D But if not, let him nullify it in his heart.
  - II E [If he was going] to help against an invasion or to save someone from drowning in a river, from thugs, from a fire, or from a suddenly collapsed house, let him nullify it in his heart.
  - III F [If he was going] to enjoy the festival rest on a pleasure jaunt, let him go back immediately [and remove the leaven].
- **3:8** A And so too: He who went forth from Jerusalem and remembered that he had in hand meat in the status of Holy Things,
  - B if he had already passed Mount Scopus, he burns it right where he is.
  - C But if not, let him go back and burn it before the Temple pile with wood which has been set aside for the altar hearth.
  - D And for how much [leaven or meat of Holy Things] do they return?
  - E R. Meir says, "This and that are subject to the measure of an egg's bulk."
  - F R. Judah says, "This and that are subject to the measure of an olive's bulk."
  - G And sages say, "Flesh in the status of Holy Things [A] is subject to the measure of an olive's bulk.
  - H "And leaven [M. 3:7B] is subject to the measure of an egg's bulk."
- **4:1** I A Where they are accustomed to do work on the eve of Passover up to noon, they do so.
  - B Where they are accustomed not to do so, they do not do so.
  - C He who goes from a place in which they do work to a place in which they do not do work,
  - D or from a place in which they do not do work to a place in which they do do work—
  - E they lay upon him the strict rules followed in the place from which he has gone forth and the strict rules followed in the place to which he has gone.
  - F But a person should not vary [from the local custom] so as [to avoid] contentiousness.

### **4:2** A Similarly:

- B He who brings produce of the Seventh Year from a place in which that particular variety has come to an end to a place in which it has not yet come to an end,
- C or from a place in which it has not yet come to an end to a place in which it has come to an end,
- D is liable to effect the removal of the produce.
- E R. Judah says, "They tell him, 'Go and bring some for yourself—you too.'"
- **4:3** II A Where people are accustomed to sell small cattle to gentiles, they sell them.

- B Where they are not accustomed to sell, they do not sell them.
- C Nowhere do they sell them large cattle, calves, or foals
- D whole or maimed.
- E R. Judah permits [selling] maimed ones.
- F Ben Beterah permits in the case of a horse.
- **4:4** III A Where they are accustomed to eat [the meat of the Passover] roasted on the nights of Passover, they eat it [that way].
  - B Where they are accustomed not to eat it [roasted], they do not eat it [that way].
  - IV C Where they are accustomed to light a candle on the night of the Day of Atonement, they light it.
    - D Where they are accustomed not to light it, they do not light it.
    - E But in any case they light it in synagogues, study houses, dark alleys, and for the sick.
- **4:5** V A Where they are accustomed to do work on the ninth of Ab, they do it.
  - B Where they are accustomed not to do work, they do not do it.
  - C And in every place disciples of sages refrain [from labor].
  - D Rabban Simeon b. Gamaliel says, "Under all circumstances should a man act on his own like a disciple of a sage."
  - E And sages say, "In Judah they did work on the eve of Passover up to noon, but in Galilee they did not do so at all."
  - F And as to the night [before the fourteenth of Nisan],
  - G the House of Shammai prohibit [doing work at that time].
  - H And the House of Hillel permit—
  - I up to sunrise.
- **4:6** A R. Meir says, "Any sort of work which a person began before the fourteenth [of Nisan] does he complete on the fourteenth of Nisan.
  - B "But he should not begin [a project] at the outset on the fourteenth,
  - C "even though he can complete it [on that same day]."
  - D And sages say, "Three sorts of craftsmen perform work on the eve of Passover up to noon, and these are they:
  - E "tailors, barbers, and laundrymen."
  - F R. Yose b. R. Judah says, "Also: shoemakers."
- **4:7** A They set out hen coops for chickens on the fourteenth.
  - B And a chicken which fled do they return to its place [to set on its eggs].
  - C And if it died, they set another in its place.
  - D They clear away [refuse] from beneath the feet of cattle on the fourteenth [of Nisan],
  - E and on [the intervening days of] the festival they push [the dung] to the sides.
  - F They take and bring utensils to the house of a craftsman,
  - G even though they are not needed for the festival.
- **4:8** A Six rules did the men of Jericho make.
  - B For three, [sages] reproved them, and for three they did not reprove them.
  - C These are the three for which they did not reprove them:

- D (1) they grafted palms [on the fourteenth of Nisan] the whole day; (2) they did not make the prescribed divisions in the Shema; and (3) they reaped and stacked [wheat] before the [offering of] the omer-
- and they did not reprove them. Е
- F And these are the three for which they reproved them:
- G (1) they permit use of Egyptian figs [from stems which had been] dedicated to the Temple; (2) they eat on the Sabbath fruit which had fallen under a tree; and (3) they leave over the corner of the field [peah] in the case of vegetables —
- Η and sages did reprove them.
- 5:1 The daily whole offering [of the afternoon] [generally] was slaughtered at half after the А eighth hour [after dawn, about 2:30 P.M.] and offered up at half after the ninth hour [about 3:30 P.M.].
  - В On the eve of Passover, [the daily whole offering] was slaughtered at half after the seventh hour and offered up at half after the eighth hour.
  - С whether on an ordinary day or on the Sabbath.
  - D [If, however,] the eve of Passover coincided with the eve of the Sabbath [Friday], it was slaughtered at half after the sixth hour [12:30 P.M.] and offered up at half after the seventh hour [1:30 P.M.].
  - E and [then] the Passover offering [was slaughtered] after it.
- 5:2 A Passover sacrifice which one slaughtered under an improper designation ["not for its А name," that is, for another purpose than as a Passover sacrifice],
  - or received the blood and tossed the blood of which under an improper designation, В
  - С or under its proper designation and under an improper designation,
  - D or under an improper designation and under its proper designation,
  - E is invalid.
  - F How [is it done] both under its proper designation and not under its proper designation?
  - G [If one slaughtered it] for the sake of a Passover offering and for the sake of peace offerings.
  - Η Under an improper designation and under a proper designation?
  - [If one slaughtered it] for the sake of peace offerings and for the sake of a Passover Ι offering.
- 5:3 [If] one slaughtered it not for those who [can] eat it or not for those who are registered for А it.
  - В for uncircumcised men or for unclean ones,
  - С it is invalid.
  - [If one slaughtered it] for those who eat it and not for those who eat it, for those who are D registered for it and not for those who are registered for it,
  - for those who are circumcised and for those who are uncircumcised, Е
  - F for those who are unclean and for those who are clean.
  - G it is valid.
  - Η [If] one slaughtered it before midday, it is invalid,
  - since it is said, At twilight (Ex. 12:6). Ι
  - J [If] one slaughtered it before [the time of] the daily whole offering, it is valid, Κ
    - so long as someone stirs its blood until the blood of the daily whole offering is tossed.
  - But if it[s blood] was tossed [before tossing the blood of the daily whole offering], it is L valid.

- **5:4** A He who slaughters the Passover offering with leaven [still in his possession] transgresses a negative commandment [Ex. 34:25].
  - B R. Judah says, "Also: the daily whole offering [for the fourteenth of Nisan]."
  - C R. Simeon says, "[He who slaughters] the Passover offering on the fourteenth [with leaven in his possession] under the proper designation is liable.
  - D "[If he did so] not under the proper designation, he is exempt.
  - E "And so to all other offerings, whether he slaughtered them] under the proper designation or under an improper designation, he is exempt.
  - F "And on the festival [itself, if he slaughtered it] under a proper designation, he is exempt. [If he slaughtered it] under an improper designation, he is liable.
  - G "And as to all other offerings, whether he slaughtered them under their proper designation or under an improper designation, he is liable,
  - H "except for a sin offering which he slaughtered under an improper designation."
- **5:5** A The Passover [offering] is slaughtered [by people divided into] three groups,
  - B as it is said, And the whole [1] assembly of the [2] congregation of [3] Israel shall slaughter it (Ex. 12:6)—
    - C [this yields] *assembly, congregation,* and *Israel.*
    - D [When] the first group entered, the courtyard was packed, [then] the doors of the courtyard were locked.
    - E They blew on the *shofar* a sustained, a quavering, and a sustained note.
    - F The priests stand in rows, with basins of silver and gold in their hands.
    - G One row had wholly silver ones, another wholly gold ones; they were not mixed up.
    - H And the basins did not have bases, lest they put them down, and the blood [of the Passover sacrifice] congeal.
- **5:6** A An Israelite slaughtered [the Passover lamb] and a priest received the blood, hands it to his fellow, and his fellow,
  - B [each one] receiving a full basin and handing back an empty one.
  - C The priest nearest the altar tosses [the blood] in a single act of tossing, toward the base.
- **5:7** A The first group went out and the second group came in.
  - B The second group went out and the third group came in.
  - C In accord with the rite of the first group were the rites of the second and third.
  - D [The Levites meanwhile] proclaimed the Hallel psalms [113–118].
  - E If they completed [the recitation], they repeated it, and if they completed the second time, they repeated it for a third—
  - F even though they never in all their days had to repeat it a third time.
  - G R. Judah says, "In all the days of the third group they never even reached the verse, *I love the Lord because he has heard my voice* (Ps. 116:1),
  - H "because its numbers were small."
- **5:8** A In accord with the rite as conducted on an ordinary day, so was the conduct of the rite on the Sabbath.
  - B And the priests mopped up the courtyard [on the Sabbath, just as on a weekday],
  - C contrary to sages' wishes.
  - D R. Judah says, "A cup was filled with the mingled blood [which had been spilled]. One tossed it with a single act of tossing on the altar."

- E And sages did not concur with him.
- **5:9** A How do they hang up [the carcasses] and flay them?
  - B Iron hooks were set into the walls and pillars, on which they would hang up and flay the carcasses [M. Mid. 3:5].
  - C And for whoever did not have space for hanging and flaying his carcass,
  - D there were thin smooth poles, and one would put one end on his shoulder and one on the shoulder of his fellow,
  - E and [thereon] hang and flay the carcass.
  - F R. Eliezer says, "On the fourteenth of Nisan which coincided with the Sabbath, he would put his hand on the shoulder of his fellow, and the hand of his fellow on his shoulder, and thereon suspend and flay the carcass."
- **5:10** A He slit open the carcass and removed its sacrificial portions, put them on a tray and [a priest] burned them on the altar.
  - B [When the fourteenth of Nisan coincided with the Sabbath], the first group went out and took seats on the Temple mount, the second on the Rampart, and the third remained in its place.
  - C Once it got dark, they went out and roasted their Passover lambs.
- 6:1 A These matters regarding the Passover sacrifice override [the prohibitions of] the Sabbath:
   B (1) slaughtering it, (2) tossing its blood, (3) scraping its entrails, and (4) burning its [sacrificial] pieces of fat.
  - C But roasting it and rinsing its entrails do not override [the prohibitions of] the Sabbath.
  - D Carrying it [to the Temple], bringing it from outside to inside the Sabbath limit, and cutting off a wen which is on it do not override [the prohibitions of] the Sabbath.
  - E R. Eliezer says, "They do override [the prohibitions of the Sabbath]."
- **6:2** A Said R. Eliezer, "Now is it not logical [that these too should override the prohibitions of the Sabbath]?
  - B "Now if slaughtering, which is prohibited under the category of labor, overrides [the prohibitions of] the Sabbath, these, which are [prohibited only] by reason of Sabbath rest [relying not upon the Scriptural prohibition of actual labor]— should they not override [the prohibitions of] the Sabbath?"
  - C Said to him R. Joshua, "A festival day will prove [to the contrary. On festival days it is permitted to prepare necessary food, Ex. 12:16]. For they permitted work to be done on that day which is normally prohibited by reason of labor, but it is prohibited to do on that day [other actions] which are prohibited [merely] by reason of Sabbath rest."
  - D Said to him R. Eliezer, "Now what is the meaning of this, Joshua? How shall proof be derived from that which is an optional deed for that which is an obligatory one?"
  - E R. Aqiba replied and said, "Sprinkling [purification water on an unclean person] will prove the case. For it is an obligatory deed, and it is normally prohibited by reason of Sabbath rest, and it does not override [the prohibitions of] the Sabbath.
  - F "So you, do not be surprised concerning these matters, for even though they are obligatory deeds, and they are prohibited merely by reason of Sabbath rest, they should not override [the prohibition of] the Sabbath."
  - G Said to him R. Eliezer, "And upon this very fact I base my reasoning.

- H "Now, if slaughtering, which is prohibited by reason of constituting an act of labor, overrides [the prohibitions of] the Sabbath, sprinkling (purification water on an unclean person], which is prohibited [merely] by reason of Sabbath rest— is it not logical that it [too] should override [the prohibitions of] the Sabbath?"
- I Said to him R. Aqiba, "Matters are just the opposite. Now if sprinkling [purification water on an unclean person], which is prohibited by reason of Sabbath rest, does not override [the prohibitions of the Sabbath], slaughtering, which is prohibited by reason of constituting a prohibited act of labor—is it not logical that it too should not override [the prohibitions of] the Sabbath?"
- J Said to him R. Eliezer, "Aqiba, you have uprooted that which is written in the Torah: *At the twilight, at its appointed time* (Num. 9:3)—whether this be an ordinary day or the Sabbath."
- K He said to him, "Rabbi, bring me an '*appointed time*' referring to these matters just as '*appointed time*' refers to the actual act of slaughtering."
- L A governing principle did R. Aqiba state, "Any form of labor which it is possible to carry out on the eve of the Sabbath does not override the Sabbath.
- M "Slaughtering, which it is not possible to carry out on the eve of the Sabbath, does override the Sabbath."
- **6:3** A When does one [also] bring a [free will] festal offering with it [over and above the Passover offering]?
  - B When [the Passover offering] is offered on an ordinary day, [with most people] in a state of cleanness, and [meat of the Passover offering] is not sufficient [for all registered for it].
  - C But when it is offered on the Sabbath, and [meat] is abundant, and [most people are] in a state of uncleanness,
  - D they do not bring with it a [free will] festal offering.
- **6:4** A A festal offering derives from the flock of sheep or from the herd of oxen, from lambs or from goats, from males or from females.
  - B And it is eaten for two days and the intervening night [to the night of the fifteenth of Nisan].
- **6:5** A The [animal designated as] a Passover offering which one slaughtered under an improper designation on the Sabbath [which coincides with the fourteenth of Nisan]—
  - B one is liable on that account for a sin offering.
  - C And as to [animals designated for] any other animal offerings, which one slaughtered for the sake of a Passover sacrifice—
  - D if they are not appropriate [to be offered as a Passover sacrifice], one is liable.
  - E But if they are appropriate [e.g., male lambs, to be offered as a Passover sacrifice]—
  - F R. Eliezer declares him liable for a sin offering.
  - G And R. Joshua declares him exempt.
  - H Said R. Eliezer, "Now if a Passover offering, which is permitted when offered under the correct designation—when one offered it under some other [than the correct] designation, he is liable,
  - I "animal offerings, which are prohibited when offered under their proper designation when he offered them under some other designation, is it not logical that he should be liable [to a sin offering]?"
  - J Said to him R. Joshua, "No. If you have stated the rule in the case of a Passover sacrifice, in which case he has offered it under another, *prohibited* designation, will you say the

same in the case of animal sacrifices, in which case he has offered them under another, *permitted* designation?"

- K Said to him R. Eliezer, "The public offerings will prove the matter.
- L "For they are permitted when offered under the proper designation.
- M "But he who slaughters [other offerings] under their designation [on the Sabbath] is liable."
- N Said to him R. Joshua, "No. If you have stated the rule in the case of the sacrificial parts of public offerings, which are subject to a limited number, will you say the same of a Passover offering, which is not subject to a limited number?"
- O R. Meir says, "Also: He who slaughters [other animal offerings] under the designation of sacrificial parts of a public offering is exempt [from liability]."
- **6:6** A If one slaughtered [the Passover sacrifice on the Sabbath] not for the sake of those who may eat it, not for the sake of those who are counted on it, for uncircumcised people, or for unclean people, he is liable.
  - B [If he slaughtered it] for those who may eat it and for those who may not eat it,
  - C for those who are registered with it and for those who are not registered with it,
  - D for those who are circumcised and for those who are uncircumcised,
  - E for those who are clean and for those who are unclean,
  - F he is exempt.
  - G [If] he slaughtered it [on the Sabbath] and it turned out to be blemished, he is liable.
  - H [If] he slaughtered it and it turned out to be *terefah* in its inner parts, he is exempt.
  - I [If] he slaughtered it and then it became known that the owner had withdrawn his hand [from taking a share in it],
  - J or had died,
  - K or had become unclean,
  - L he is exempt,
  - M because he slaughtered it [at a time when it was] permitted [to do so].
- **7:1** A How do they roast the Passover offering?
  - B They bring a spit of pomegranate wood,
  - C and stick it through [the carcass] from the mouth to the buttocks.
  - D "And one puts its legs and entrails inside it," the words of R. Yose the Galilean.
  - E R. Aqiba says, "That would be a kind of cooking.
  - F "But: one hangs them outside [the carcass]."
- **7:2** A They do not roast the Passover offering either on a [metal] spit or on a grill.
  - B Said R. Sadoq, "*M*'SH B: Rabban Gamaliel said to Tabi his servant, 'Go and roast the Passover offering for us on a grill.'"
  - C [If] it touched the earthenware part of an oven, one should scale off that place [which has been roasted by the heat of the oven side].
  - D [If] some of its gravy dripped on the earthenware and went back onto it, he must take some [of the meat] away from that place [and burn it].
  - E [If] some of its gravy dripped on the flour, he must take a handful away from that place.
- 7:3 A [If] one basted it with oil in the status of heave offering—
  - B if it was an association of priests [who were registered for this offering], they may eat it.
  - C If it was one of Israelites,

- D if it was [yet] raw, let one rinse it off.
- E If it was [already] roasted, let one scale off the outer surface.
- F [If] one basted it with oil in the status of second tithe,
- G he may not charge its value against the members of the association [registered for that offering].
- H For they do not redeem second tithe [for funds] in Jerusalem [itself]
- **7:4** A Five things are offered in a state of cultic uncleanness but are not eaten in a state of cultic uncleanness:
  - B (1) the *omer* [Lev. 23:10], (2) the Two Loaves of Bread [Lev. 23:17], (3) the Show Bread [Lev. 24:5], (4) communal peace offerings [Lev. 23:19], and (5) the goats which are offered at the New Month [Num. 28:15].
  - C [But] the Passover offering, which is offered in a state of cultic uncleanness, is eaten in a state of cultic uncleanness,
  - D for to begin with it is offered only for eating.
- **7:5** A [If] the meat [of the Passover, offered by clean sacrificers] was made unclean but the fat continued [clean],
  - B one does not toss the blood.
  - C [If] the fat was made unclean but the meat continued [clean],
  - D one does toss the blood.
  - E And in the case of [other] things which have been consecrated it is not so, but:
  - F even though the meat is made unclean, if the fat continued [clean],
  - G one does toss the blood.
- **7:6** A [If] the congregation was made unclean, or the greater part of it
  - B or if the priests were unclean while the congregation remained clean,
  - C [the Passover offering] is prepared in a state of uncleanness.
  - D [If] a minority of the congregation was made unclean,
  - E those who remain clean keep the first Passover [offering],
  - F and those who are unclean keep the second.
- 7:7 A A Passover offering, the blood of which was tossed,
  - B and afterward it becomes known that it [the Passover offering] was made unclean [after it had been slaughtered]—
  - C the [high priest's] frontlet effects acceptance.
  - D [If] the person [of any of the sacrificers] was made unclean;
  - E the high priest's frontlet does not effect acceptance.
  - F For they have stated:
  - G As to the Nazirite and one who prepares the Passover offering,
  - H the high priest's frontlet effects acceptance despite uncleanness affecting the blood, but the high priest's frontlet does not effect acceptance for uncleanness affecting the person [of the sacrificer].
  - I [If] one was made unclean by reason of uncleanness in the nethermost depths, the high priest's frontlet effects acceptance.
- **7:8** A [If] the whole or the larger part [of the Passover offering] was made unclean,
  - B they burn it before the Temple building, with wood set aside for the altar hearth.

- C [If] the lesser part of it was made unclean, and as to that which remains over [and is not eaten in the time limit set for the eating of the Passover offering]—
- D they burn it in their courtyards or on their roofs with their own wood.
- E But the cheapskates burn it before the Temple building, so as to enjoy the use of wood set aside for the altar hearth [instead of using their own].
- **7:9** A The Passover offering which went forth [from Jerusalem] or which was made unclean is to be burned immediately [on the fourteenth].
  - B [If] the owner was made unclean or died,
  - C its appearance is allowed to spoil, and it is to be burned on the sixteenth of Nisan.
  - D R. Yohanan b. Beroqah says, "Also: This is to be burned immediately,
  - E "for it has no one to eat it."
- **7:10** A Bones, sinews, and that which is left over [and not eaten within the stated limits] are to be burned on the sixteenth of Nisan.
  - B [If] the sixteenth of Nisan coincides with the Sabbath, they are to be burned on the seventeenth.
  - C For [burning] them does not override the prohibitions either of the Sabbath or of a festival day.
- 7:11 A Whatever is eaten of a full-grown ox may be eaten of a tender lamb,
  - B even the ends of the shoulder blades and the gristly parts.
  - C He who breaks the bone of a Passover offering which is in a state of cultic cleanness—lo, this person receives forty stripes.
  - D But one who leaves over [any part] of a Passover offering which is in a state of cultic cleanness and one who breaks a bone of a Passover offering which is in a state of cultic uncleanness do not receive forty stripes.
- 7:12 A A limb [of a Passover offering] part of which projected outside [of Jerusalem]—
  - B one cuts it away until he reaches the bone,
  - C pares off the flesh until he reaches the joint,
  - D and then he cuts it away.
  - E And in the case of Holy Things, he [simply] chops it off with a chopper.
  - F For to [any of the Holy Things except for the Passover offering], the law against breaking a bone does not apply.
  - G From the doorstep and toward the inner part of the city is an area deemed inside the city.
  - H From the doorstep and outward is an area deemed outside the city.
  - I The windows and the thick part of the wall are deemed an area inside the city.
- **7:13** A Two associations [registered for two separate Passover offerings] which were eating in one room—
  - B these turn their faces to one side and eat,
  - C and those turn their faces to the other side and eat.
  - D And the kettle is in the middle [between them].
  - E And when the waiter [who eats with one association but serves them both] stands up to mix the wine [of the company with which he is not eating],
  - F he shuts his mouth and turns his face away until he gets back to his own association,
  - G and then continues eating.

- H And a bride turns her face aside while she eats.
- 8:1 A A woman, when she is in the home of her husband—
  - B [if] her husband slaughtered [a Passover offering] in her behalf, and her father slaughtered [a Passover offering] in her behalf,
  - C [she] should eat of that which is slaughtered by her husband.
  - D [If] she went to observe the first festival [after marriage] in her father's house,
  - E [if] her father slaughtered [a Passover offering] in her behalf, and her husband slaughtered [a Passover offering] in her behalf,
  - F let her eat in whichever place she wants.
  - G A [minor] orphan in behalf of whom [several] guardians have slaughtered [a Passover offering] eats in the place which he wants.
  - H A slave belonging to two partners should not eat [of a Passover offering] belonging to either one of them.
  - I He who is half-slave and half-free should not eat [of the Passover offering] of his master.
- 8:2 A He who says to his slave, "Go and slaughter a Passover offering in my behalf "—
  - B [if] he slaughtered a kid, let him eat it.
  - C [If] he slaughtered a lamb, let him eat it.
  - D [If] he slaughtered both a kid and a lamb, let him eat from the former.
  - E [If the slave] forgot what his master said to him, what should he do?
  - F Let him slaughter both a kid and a lamb and say, "If my master told me to prepare a kid, the kid is his and the lamb is mine, and if my master told me to prepare a lamb, the lamb is his and the kid is mine."
  - G [If the slave did as specified but] his master forgot what he had said to him, both of them [the animals killed by the slave] go out to the place of burning.
  - H But they are exempt from the requirement of preparing the second Passover.
- **8:3** A He who says to his children, "Lo, I shall slaughter the Passover offering in behalf of the one of you who will get up to Jerusalem first"—
  - B once the first [child] poked his head and the greater part of his body into the city, he has effected acquisition of his share and has furthermore effected acquisition in behalf of his brothers along with himself.
  - C Under all circumstances do [people] register with [a Passover offering] so long as there is an olive's bulk of meat for each and every one of them.
  - D They register and then withdraw their registration from it until the moment that one will slaughter it.
  - E R. Simeon says, "Until one will toss the blood on his behalf."
- **8:4** A He who registered others in his share [of the Passover offering]
  - B the [other] members of the association have the right to give him his share [to eat elsewhere], and he eats what is his, and they eat what is theirs.
- **8:5** A A *Zab* who has experienced two appearances of flux— they slaughter [the Passover offering] in his behalf on the [evening of] the seventh day [Lev. 15:1].
  - B [If] he experienced three, they slaughter [the Passover offering] in his behalf on his eighth day.

- C A woman who awaits day by day [since she had a flow during the eleven days between one menstrual period and the next and has immersed and now awaits a complete day free of flow, after which she is clean]— they slaughter [a Passover offering] in her behalf on her second clean day.
- D [If] she experienced a flow on two successive days, they slaughter [a Passover offering] in her behalf on the third day.
- E And as to a *Zabah*, they slaughter [a Passover offering] in her behalf on the eighth day.
- 8:6 A In behalf of (1) one who suffers a bereavement of a close relative on that same day, (2) one who has the task of clearing away a ruin [and may, in fact, thereby suffer corpse uncleanness],
  - B and so too: (3) one whom they have promised to free from prison—
  - C (4) a sick person, and (5) a senile person, [both of whom] can eat an olive's bulk of the meat of a Passover offering—
  - D they slaughter [a Passover offering].
  - E In the case of all of these, [however], they do not slaughter [a Passover offering] in their behalf alone,
  - F lest they lead the Passover offering to suffer invalidation.
  - G Therefore, if some form of invalidation befell them, they are exempt from having to prepare a second Passover offering,
  - H except in the case of one who has the task of clearing away a ruin,
  - I for [if he uncovers a corpse] he is unclean to begin with [at the time that the animal was sacrificed].
- 8:7 A "They do not slaughter [a Passover offering] in behalf of a single individual," the words of R. Judah.
  - B And R. Yose permits [doing so].
  - C Even if there is an association of a hundred people who cannot eat an olive's bulk of the meat—they do not slaughter [a Passover offering] in their behalf.
  - D They do not form an association consisting only of women, slaves, and [or] children.
- **8:8** A One who has suffered a bereavement of a close relative immerses and eats his Passover offering in the evening,
  - B but [he may not eat any other] Holy Things [in that evening].
  - C He who hears word [of the death of a close relative], and he who is gathering up bones [for secondary burial] immerses and eats Holy Things.
  - D A proselyte who converted on the eve of Passover [the fourteenth of Nisan]—
  - E the House of Shammai say, "He immerses and eats his Passover offering in the evening."
  - F And the House of Hillel say, "He who takes his leave of the foreskin is as if he took his leave of the grave [and must be sprinkled on the third and seventh day after circumcision as if he had suffered corpse uncleanness]."
- **9:1** A [The Lord said to Moses, Say to the people of Israel, if any man of you or of your descendants] is unclean or is on a long journey (Num. 9:9–10)
  - B and did not observe the first [Passover], let him keep the second Passover [on the fourteenth of Iyyar].

- C [If] he inadvertently or under constraint failed to observe the first Passover, let him keep the second Passover.
- D If so, why is it said, *Unclean* ... or on a long journey?
- E For these are exempt from punishment by extirpation, and those are liable to punishment by extirpation [if they deliberately refrain from observing the second Passover].
- **9:2** A What is the meaning of "a long journey"?
  - B "[A journey to any place] from Modiin and beyond,
  - C "and in accord with this same distance in all other directions," the words of R. Aqiba.
  - D R. Eliezer says, "[A journey] beyond the very threshold of the Temple courtyard."
  - E Said R. Yose, "Therefore there is a point over the *he*, to tell you that it is not because it is really a distant journey, but even one who is anywhere outside the threshold of the Temple courtyard and beyond [falls under the rule]."
- **9:3** A What is the difference between the first Passover and the second?
  - B The first Passover is subject to the prohibition about leaven: *It shall not be seen and It shall not be found* (Ex. 12:19, 13:7).
    - C As to the second, unleavened bread and leaven may be in the house right alongside one another.
    - D The first Passover requires the recitation of the *Hallel* Psalms when it is eaten, but the second Passover does not require the recitation of *Hallel* Psalms when it is eaten.
    - E This and that require a *Hallel* Psalm to be sung while they are being prepared.
    - F And [both Passover offerings] are eaten roasted, with unleavened bread and bitter herbs.
    - G And [both Passover offerings] override [the prohibitions of the] Sabbath.
- **9:4** A A Passover offering which was offered in uncleanness—
  - B male *Zabs*, female *Zabs*, menstruating women and women unclean by reason of childbirth should not eat from it.
  - C But if they ate [from it], they are exempt from the punishment of extirpation.
  - D R. Eliezer declares them exempt [from extirpation] even on account of coming into the sanctuary.
- **9:5** A What is the difference between the Passover of Egypt and the Passover of the succeeding generations?
  - B As to the Passover of Egypt—(1) [the lamb's] designation took place on the tenth of Nisan.
    (2) It required sprinkling of the blood of the lamb with a branch of hyssop on the lintel of the door and on the two doorposts. And (3) it was eaten in haste in a single night.
  - C But the Passover observed by the succeeding generations applies [to leaven] for all seven days [and not only for one night].

### **9:6** A Said R. Joshua, "I have heard:

"(1) that a beast declared to be substituted for an animal set aside for a Passover offering is offered,

"and (2) that a beast declared to be substituted for an animal set aside for a Passover offering is not offered.

- B "And I cannot explain [the contradiction between these two opinions]."
- C Said R. Aqiba, "I shall explain (the two sayings].

- D "[In the case of a beast designated as a substitute for an animal set apart as a Passover offering which was lost], the [lost] Passover offering which turned up before the slaughtering of the [substituted] Passover offering is set out to pasture until it is blemished, then is sold, and peace offerings are to be purchased with the money received for it, and so too is the rule for the beast substituted for it.
- E "[But if the lost beast which had been set aside for a Passover offering was found] after the slaughtering of the Passover [substituted in its place], it is offered as peace offerings, and so too is the rule for the beast substituted for it."
- **9:7** A He who designates a female animal for his Passover offering [which must be male (Ex. 12:5)],
  - B or a male two years old [though it must be one year old]—
  - C (the animal so designated] is set out to pasture until it suffers a blemish, then it is sold, and the coins received for it fall for a freewill offering.
  - D He who designates an animal for his Passover offering and who died—
  - E his son should bring it in his stead not as a Passover offering, but as peace offerings.
- **9:8** A An animal set aside for a Passover offering which was confused with animals set apart for other animal sacrifices—
  - B all of them are to be set out to pasture until they suffer a blemish, then are to be sold, and with the proceeds of the best of them one is to bring an animal of one sort [of sacrifice], and with the proceeds of the best of them he is to bring an animal of another sort,
  - C and he must make up the difference [in the cost] from his own pocket.
  - D [If it was confused with firstlings—

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- E R. Simeon says, "If it is for an association of priests, let them eat it."
- I A An association, the Passover offering of which was lost,
  - B and which said to someone, "Go and find and slaughter another one for us,"
  - C and that one went and found and slaughtered [another],
  - D but they too went and bought and slaughtered [one for themselves]—
  - E if his was slaughtered first, he eats his, and they eat with him of his.
  - F But if theirs was slaughtered first, they eat of theirs, and he eats of his.
  - G And if it is not known which of them was slaughtered first,
  - H or if both of them were slaughtered simultaneously,
  - I then he eats of his, and they do not eat with him, and theirs goes forth to the place of burning,
  - J but they are exempt from having to observe the second Passover.
  - II K [If] he said to them, "If I come back late, go and slaughter a Passover offering in my behalf,"
    - L [now] he went and found [an animal] and slaughtered it,
    - M and they purchased and slaughtered an animal as well.
    - N If theirs was slaughtered first, they eat of theirs, and he eats with them.
    - O And if his was slaughtered first, he eats of his, and they eat of theirs.
    - P And if it is not known which of them was slaughtered first,
    - Q or if they were slaughtered simultaneously,
    - R they eat of theirs, and he does not eat with them.
    - S And his goes forth to the place of burning.
    - T And he is exempt from having to observe the second Passover.

- III U [If] he gave instructions to them, and they gave instructions to him [with the same consequences as before],
  - V all of them eat from the first.
  - W But if it is not known which of them was slaughtered first,
  - X both of them go forth to the place of burning.
  - Y [If] he did not give instructions to them, and they did not give instructions to him, they are not responsible for one another.
- 9:10 A Two associations, the Passover offerings of which were confused
  - B these take [draw] possession of one of them for themselves, and those take possession of one of them for themselves.
  - C One [member] of these goes to the others, and one [member] of the others comes to these.
  - D And thus do they say, "If this Passover offering is ours, withdraw from yours and register with ours. And if this Passover offering is yours, we withdraw from ours and register with yours."
  - E And so too five associations, each with five or ten members—
  - F each one of the associations takes possession of [one of the confused Passover offerings] and so do they declare.
- 9:11 A Two people whose Passover offerings were confused—
  - B this one takes possession of one of the animals, and that one takes possession of one of the animals.
  - C This one registers with himself a third party, and that one registers with himself a third party.
  - D This one approaches that, and that one approaches this, and thus do they declare:
  - E "If this Passover offering is mine, then you withdraw from yours and register with mine. And if this Passover offering is yours, then I withdraw from mine and register with yours."
- **10:1** A On the eve of Passover from just before the afternoon's daily whole offering, a person should not eat, until it gets dark.
  - B And even the poorest Israelite should not eat until he reclines at his table.
  - C And they should provide him with no fewer than four cups of wine,
  - D and even if [the funds] come from public charity.
- **10:2** I A When they have mixed the first cup of wine—
  - B the House of Shammai say, "He says a blessing over the day, and afterward he says a blessing over the wine."
  - C And the House of Hillel say, "He says a blessing over the wine, and afterward he says a blessing over the day."
- **10:3** A [When] they bring him [the food], he dips the lettuce [in vinegar]
  - B before he comes to the breaking of the bread.
  - C They brought him unleavened bread, lettuce, and *haroset* and two dishes—
  - D even though *haroset* is not a religious obligation.
  - E R. Eleazar b. R. Sadoq says, "It is a religious obligation."
  - F And in the time of the Temple they would bring before him the carcass of the Passover offering.

- **10:4** II A They mixed for him a second cup of wine.
  - B And here the son asks his father [questions].
  - C But if the son has not got the intelligence to do so, the father teaches him [to ask by pointing out:]
  - D "How different is this night from all other nights!
  - E "For on all other nights we eat leavened or unleavened bread. But this night all of the bread is unleavened.
  - F "For on all other nights we eat diverse vegetables, but on this night, only bitter herbs.
  - G "For on all other nights we eat meat which is roasted, stewed, or boiled. But this night all of the meat is roasted.
  - H "For on all other nights we dip our food one time, but on this night, two times."
  - I In accord with the intelligence of the son the father instructs him.
  - J He begins [answering the questions] with disgrace and concludes with glory, and explains [the Scriptures from], A *wandering Aramean was my father* ... (Dt. 26:5ff) until he completes the entire section.
- **10:5** A Rabban Gamaliel did state, "Whoever has not referred to these three matters connected to the Passover has not fulfilled his obligation, and these are they: Passover, unleavened bread, and bitter herbs.
  - B *"Passover*—because the Omnipresent passed over the houses of our forefathers in Egypt.
  - C "Unleavened bread because our forefathers were redeemed in Egypt.
  - D "Bitter herbs because the Egyptians embittered the lives of our forefathers in Egypt."
  - E In every generation a person is duty-bound to regard himself as if he personally has gone forth from Egypt, since it is said, *And you shall tell your son in that day saying, It is because of that which the Lord did for me when I came forth out of Egypt* (Ex. 13:8). Therefore we are duty-bound to thank, praise, glorify, honor, exalt, extol, and bless him who did for our forefathers and for us all these miracles. He brought us forth from slavery to freedom, anguish to joy, mourning to festival, darkness to great light, subjugation to redemption, so we should say before him, Hallelujah.
- **10:6** A To what point does one say [*Hallel*]?
  - B The House of Shammai say, "To A *joyful mother of children* (Ps. 113:9)."
  - C And the House of Hillel say, "To A *flintstone into a springing well* (Ps. 114:8)."
  - D And he concludes with [a formula of] Redemption.
  - E R. Tarfon says, who redeemed us and redeemed our forefathers from Egypt.'
  - F "And he did not say a concluding benediction."
  - G R. Aqiba says, "'... So, Lord, our God, and God of our fathers, bring us in peace to other appointed times and festivals, rejoicing in the rebuilding of your city and joyful in your Temple worship, where may we eat of the animal sacrifices and Passover offerings,' etc., up to, 'Blessed are you, Lord, who has redeemed Israel.'"
- **10:7** III A They mixed the third cup for him.
  - B He says a blessing for his food.
  - IV C [And at] the fourth, he completes the *Hallel* and says after it the grace of song.
    - D Between these several cups of wine, if he wants to drink, he may drink wine.
    - E But between the third and the fourth cup of wine, he may not drink.

- **10:8** A And after the Passover meal they do not conclude with dainties.
  - B [If] some of those present fell asleep, they may eat [again].
  - C But if all [fell asleep], they may not eat again.
  - D R. Yose says, "[If they merely] droused, they may eat again. But if they fell into a deep sleep, they may not eat again."
- **10:9** A The Passover offering after midnight [at which point it may no longer be eaten] imparts uncleanness to hands.
  - B That which is made refuse and remnant impart uncleanness to the hands.
  - C "[If] one has said the blessing for the Passover offering, he renders unnecessary a blessing over [any other] animal sacrifice [which he may eat].
  - D "[If] he said a blessing over [another] animal sacrifice which he ate, he has not made unnecessary a blessing over the Passover offering," the words of R. Ishmael.
  - E R. Aqiba says, "This one does not render that unnecessary, and that one does not render this unnecessary."

## SHEQALIM

- **1:1** A On the first day of Adar they make public announcement concerning [payment of] *sheqel* dues and concerning the sowing of mixed seeds [Lev. 19:19, Dt. 22:91].
  - B On the fifteenth day of that month they read the *Megillah* [Scroll of Esther] in walled cities.
  - C And they repair the paths, roads, and immersion pools.
  - D And they carry out all public needs.
  - E And they mark off the graves.
  - F And they go forth [to inspect the fields] on account of mixed seeds.
- **1:2** A Said R. Judah, "In olden times [the agents] would uproot them [mixed seeds] and throw them before the [owner].
  - B "When transgressors became many, they would uproot them and throw them into the roads.
  - C "They [finally] ordained that they should declare ownerless the entire field (in which mixed seeds had been planted]."
- **1:3** A On the fifteenth of that same month [Adar] they set up money changers' tables in the provinces.
  - B On the twenty-fifth [of Adar] they set them up in the Temple.
  - C Once they were set up in the Temple, they began to exact pledges [from those who had not paid the tax in specie].
  - D From whom do they exact a pledge?
  - E Levites, Israelites, proselytes, and freed slaves,
  - F but not from women, slaves, and minors.
  - G Any minor in whose behalf the father began to pay the *sheqel* does not again cease [to pay].
  - H And they do not exact a pledge from priests,
  - I for the sake of peace.

- **1:4** A Said R. Judah, "Testified Ben Bukhri in Yabneh: 'Any priest who pays the *sheqel* does not sin.'
  - B "Said to him Rabban Yohanan ben Zakkai, 'Not so. But any priest who does not pay the *sheqel* sins.
  - C "'But the priests expound this Scriptural verse for their own benefit: And every meal offering of the priest shall be wholly burned, it shall not be eaten (Lev. 6:23).
  - D "'Since the *omer*, Two Loaves, and Show Bread are ours, how [if we contribute] are they to be eaten?'"
- **1:5** A Even though they have said [M. 1:3F], "They do not exact pledges from women, slaves, or minors," if they paid the *sheqel*, they do accept it from them.
  - B A gentile and a Samaritan who paid the *sheqel*—they do not accept it from them.
  - C Nor do they accept from them bird offerings for male *Zabs*, bird offerings for female *Zabs*, bird offerings for women who have given birth, sin offerings, or guilt offerings.
  - D But [offerings brought by reason of] vows and freewill offerings they accept from them.
  - E This is the governing principle: Anything which is vowed or given as a freewill offering do they accept from them.
  - F Anything which is not vowed or given as a freewill offering do they not accept from them.
  - G And so is the matter explained by Ezra, since it is said, *You have nothing to do with us to build a house unto our God* (Ezra 4:3).
- **1:6** A And these are liable to the surcharge:
  - B Levites, Israelites, proselytes, and freed slaves,
  - C but not priests, women, slaves, or minors.
  - D He who pays the *sheqel* in behalf of a priest, woman, slave, or minor, is exempt [from the surcharge].
  - E And if he paid the *sheqel* for himself and for his fellow, he is liable for a single surcharge [for himself].
  - F R. Meir says, "Two surcharges."
  - G He who pays a *sela* and takes back a *sheqel* in change is liable to two surcharges.
- **1:7** A He who pays a *sheqel* [as a gift] for a poor man, for his neighbor, or for a fellow townsman, is exempt.
  - B But if he lent [the money to them], he is liable.
  - C Brothers who are partners who are liable to the surcharge are exempt from tithe of cattle.
  - D But when they are liable to tithe of cattle, they are exempt from the surcharge.
  - E And how much is the surcharge?
  - F "A silver maah  $[= 1/24^{th} \text{ of a } sela]$ ," the words of R. Meir.
  - G And sages say, "A half [of a silver *maah*]."
- **2:1** A They change *sheqels* into *darics* because of the burden of the journey.
  - B Just as there were *shofar* chests [for receiving the *sheqel* tax] in the Temple, so there were *shofar* chests in the provinces.
  - C Townsfolk who sent their *sheqels*, which were stolen or lost—
  - D if the heave offering already had been taken up, the [townsfolk] take an oath to the Temple revenuers.
  - E And if not, they take an oath before the [other] townsfolk, and the [other] townsfolk pay the *sheqel* in their stead.

- F [If the *sheqels*] were found, or the robbers returned them, both these [coins, paid by the other townsfolk] and those [coins, originally put forth] are in the status of sheqels.
- G And they do not go to their credit for the coming year.
- 2:2 He who hands over his *sheqel* to his fellow to pay the *sheqel* in his behalf, but [his fellow] А paid the *sheqel* in his own behalf,
  - if the heave offering had been taken up, [his fellow] has committed an act of sacrilege. В
  - He who pays his sheqel from coins which had already been consecrated, С
  - D if the heave offering had already been taken up, and an offering [bought from that money] had been offered, he has committed an act of sacrilege.
  - E [If he paid the *sheqel*] from coins in the status of second tithe or from coins received in exchange for seventh produce of the Seventh Year, he must consume [produce] equivalent to their value.
- 2:3 А He who saves up [collects] coins and said, "Lo, these are for my sheqel"
  - the House of Shammai say, "The surplus [over what is actually needed for his В sheqel] goes for a freewill offering."
  - С And the House of Hillel say, "The surplus [over what is actually needed for his sheqel] is unconsecrated."
  - Ι [If he said,] "I shall bring *some* of them for my *sheqel*, D
  - Е they concur that the surplus is unconsecrated.
  - F [If he said,] "These are for the purchase of a sin offering, Π
  - they concur that the surplus is for a freewill offering. G
  - Η [If he said,] "I shall bring *some* of them for purchase of a sin offering," III
    - Ι they concur that the surplus is unconsecrated.
- 2:4 Said R. Simeon, "What is the difference between *sheqel* taxes and the sin offering? А В "Sheael taxes are subject to a prescribed limit, but a sin offering is not subject to a prescribed limit."
  - С R. Judah says, "Also: Sheqel taxes are not subject to a prescribed limit.
  - D "For when the Israelites came up from the Exile, they would pay the *sheqel* in *darics*. Then they went and paid the *sheqel* in *selas* [double *sheqels*]. Then they went and paid the sheqel in [sheqel] coins. And they [even] wanted to pay the sheqel in denars."
  - E Said R. Simeon, "Even so, the charge for everyone was equal. But in the case of a sin offering, this one may bring a sin offering worth two, and yet another may bring a sin offering worth three."
    - The surplus [of funds designated for use for] a *sheqel* tax is unconsecrated [M. А 2:3C].
      - В The surplus of [coins collected to purchase] the tenth of an *ephah*, the surplus of (1) bird offerings for male Zabs, (2) bird offerings of female Zabs, (3) bird offerings for women who have given birth, (4) sin offerings [M. 2:3F], and (5) guilt offerings-
      - their surplus is for a freewill offering. С
      - This is the governing principle: Whatever comes for the purposes of a sin offering D or a guilt offering—its surplus is for a freewill offering.
  - Ι Ε The surplus of money set aside for a burnt offering is used for the purchase of another burnt offering.

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- II F The surplus of money set aside for a meal offering is used for the purchase of another meal offering.
- III G The surplus of money set aside for peace offerings is used for peace offerings.
- IV H The surplus of money set aside for a Passover offering is used for peace offerings.
- I I The surplus of money set aside for the offerings of Nazirs is used for [other] Nazir[s' offerings].
  - J The surplus of money set aside for a [particular] Nazir is used for the purchase of a freewill offering.
- II K The surplus of money collected for use of the poor is used by the poor.
  - L The surplus of money collected for a particular poor person is used for that particular person.
- III M The surplus of money collected for the redemption of captives is used for the redemption of captives.
  - N The surplus of money collected for the redemption of a particular captive is used for that particular captive.
- IV O The surplus of money collected for burying the dead is used for the dead.
  - P The surplus of money collected for a particular deceased person is used for his heirs.
  - Q R. Meir says, "The surplus of money collected for a particular deceased person is left over until Elijah comes."
  - R R. Nathan says, "[With] surplus of money collected for a particular deceased person they build a sepulchre on his grave."
- **3:1** A At three times in the year do they take up the heave offering of the [coins collected in the] [*sheqel*] chamber:
  - B half a month before Passover, half a month before Aseret [Pentecost], and half a month before the Festival [of Sukkot].
  - C "And these are the 'threshing floors' [the times at which the obligation to tithe becomes operative] for tithing cattle," the words of R. Aqiba.
  - D Ben Azzai says, "On the twenty-ninth of Adar, on the first of Sivan, and on the twentyninth of Ab."
  - E R. Eleazar and R. Simeon say, "On the first of Nisan, on the first of Sivan, and on the twenty-ninth of Elul."
  - F On what account did they rule, "On the twenty-ninth of Elul," instead of saying, "on the first of Tishre"?
  - G Because it is a festival day, and it is not possible to give tithe on a festival day.
  - H Therefore they set it a day earlier, on the twenty-ninth of Elul.
- **3:2** A With three baskets, each holding three *seahs*, they take up the heave offering of the [coins collected in the] [*sheqel*] chamber.
  - B And written on them are the Hebrew letters *alef, bet, gimel.*
  - C R. Ishmael says, "Written on them were the Greek letters Alpha, Beta, Gamma."
  - D He who takes up the heave offering went in wearing neither a sleeved cloak, nor shoes, sandals, phylacteries, nor an amulet—
  - E lest [in the coming year] he lose all his money and people say [about him], "Because of a transgression against the [*sheqel*] chamber did he lose his money."
  - F Or lest he get rich, and people say about him, "From the heave offering of the [*sheqel*] chamber did he get rich."

- G For a person must give no cause for suspicion to other people, just as he must give no cause for suspicion to the Omnipresent,
- H as it is said, And be guiltless towards the Lord and towards Israel (Num. 32:22).
- I And so it says, *So shall you find favor and good understanding in the sight of God and humanity* (Prov. 3:4).
- **3:3** A A member of the household of Rabban Gamaliel would go in and take his *sheqel* between his fingertips and throw it in front of the one who takes up the heave offering [of the *sheqels*, so as to make sure his coin would be used for the purchase of the public sacrifices].
  - B And the one who takes up the heave offering intentionally pushes it into the basket.
  - C The one who takes up the heave offering does not do so until he says to them, "Shall I take up the heave offering?" And they say to him, "Take up heave offering, take up heave offering, "three times.
- **3:4** A He took up [heave offering] the first time and covered [the residue] with coverings.
  - B [He took up the heave offering] a second time and covered [the residue] with covers.
    - C But the third time he did not cover [it up].

- D [He covered the first two times], lest he forget and take up heave offering from those *sheqels* from which heave offering already had been taken.
- E He took up the heave offering the first time in behalf of the Land of Israel, the second time in behalf of cities surrounding it, and the third time in behalf of Babylonia, Media, and the more distant communities.
- I A As to the heave offering [of the *sheqel* chamber]: What did they do with it?
  - B They purchase with it [animals for] daily whole offerings, additional offerings, and their drink offerings,
  - C [wheat for] the *omer*, the Two Loaves, and the Show Bread,
  - D and all [other] offerings made in behalf of the community.
  - E Those who guard the aftergrowths of the Seventh Year receive their salary from the heave offering of the [*sheqel*] chamber.
  - F R. Yose says, "Also: He who wishes to volunteer [may serve as] an unpaid guardian [of the aftergrowths]."
  - G They said to him, "You too rule that they [the *omer*, Two Loaves, and Show Bread] derive only from public funds."
- **4:2** A The red cow [Num. 19:1ff.], the goat which is sent out, and the red thread [Lev. 16:5] derive from funds of the heave offering of the [*sheqel*] chamber.
  - B The [cost of building] a causeway for the red cow, the causeway for the scapegoat which is sent forth, the thread between its horns, the [cost of the upkeep of the] water channel, the wall of the city and its turrets, and all needs of the city [of Jerusalem] derive from the residue [of funds of the *sheqel*] chamber [coins not taken up with the heave offering thereof].
  - C Abba Saul says, "The ramp of the red cow—the high priests make it at their own expense."
- **4:3** II A As to the surplus of the residue of the [*sheqel*] chamber: What did they do with it?
  - B They purchase with it wine, oil, and fine flour.
  - C "And the profit [of the resale] belongs to the Temple," the words of R. Ishmael.

D R. Aqiba says, "They do not make money in what belongs to the Temple or in what belongs to the poor."

### **4:4** III A The surplus of the heave offering [itself] [of the *sheqel*]: What did they do with it? B [They buy] golden plate for decorating the house of the Holy of Holies.

- C R. Ishmael says, "The surplus of the profits [on wine, oil, and flour sold to people bringing private offerings (M. 4:3C)] goes for [purchase of animals for sacrifice] for 'dessert' [the unused time of the altar],
- D "and the surplus of the heave offering [of the *sheqels*] is for purchase of utensils for service."
- E R. Aqiba says, "The surplus of the heave offering [of the *sheqels*] goes for 'dessert,' and the surplus of the drink offerings is for purchase of utensils for service."
- F R. Hananiah, Prefect of the Priests, says, "The surplus of the drink offerings goes for 'dessert,' and the surplus of the heave offering [of the *sheqels*] *is* for the purchase of utensils for service."
- G But neither one [E, F] concurred in the matter of profits [both maintaining that profits are not permissible].
- **4:5** A The surplus of the frankincense: What did they do with it?
  - B They set aside from it the wages of the craftsmen.
  - C And [after] they declare it unconsecrated in exchange for the wages of the craftsmen,
  - D they hand it over to the craftsmen as their salary.
  - E And they go and buy it back from them [with money raised up] from a fresh heave offering [of the *sheqels*].
  - F If the new [heave offering] came in due time, they buy it back [with money] from the new heave offering [of the *sheqels*], but if not, [they buy it back with money] from the old.
- **4:6** A He who sanctifies his property, and included in it were items suitable for use for public offerings—
  - B "they are to be given to the craftsmen for their salary," the words of R. Aqiba.
  - C Said to him Ben Azzai, "That [method, of M. 4:5] is not correct [in this case].
  - D "But: They set apart from it the wages of the craftsmen.
  - E "And they render it deconsecrated in exchange for the money due to the craftsmen.
  - F "And they pay it over to the craftsmen as their salary.
  - G "And then they go and buy it back from them out of the new heave offering [of the *sheqels*]."
- **4:7** A He who sanctifies his property and in it were cattle suitable for use on the altar,
  - B males and females—
  - C R. Eliezer says, "The males are to be sold for those who require burnt offerings, "and the females are sold for those who require peace offerings.
  - D "And proceeds received for them fall with the value of the rest of the donation for the upkeep of the Temple house."
  - E R. Joshua says, "The males themselves are offered up as burnt offerings, "and the females are to be sold for those who require peace offerings,
    - "and let one bring burnt offerings with their proceeds.
  - F "And the rest of the proceeds fall for the upkeep of the Temple house."

- G R. Aqiba says, "I prefer the opinion of R. Eliezer to the opinion of R. Joshua.
- H "For R. Eliezer is consistent, while R. Joshua has made a distinction."
- I Said R. Pappyas, "I heard [a ruling on this subject] in accord with the opinion of each of them:
- J "For: He who sanctifies [his property] on explicit terms follows the opinion of R. Eliezer, and he who sanctifies his property without specification follows the opinion of R. Joshua."
- **4:8** A He who sanctifies his property, in which were items suitable [actually] for use on the altar—
  - B wine, oil, fowl—
  - C R. Eleazar says, "They are to be sold to those who need that item, and let one bring burnt offerings with the proceeds received for them.
  - D "And the rest of the property falls for use in the upkeep of the house."
- **4:9** A Once every thirty days they fix prices for the [*sheqel*] chamber.
  - B Whoever undertakes to provide flour at four [seahs a sela]—
  - C [if] the price stood at [deflated to] three [selas for a seah]—
  - D still must provide it at four.
  - E [If he undertook to provide it at] three to a *seah*, and the price stood at [inflated to] four, let him provide it at four.
  - F For the claim of the sanctuary is always paramount.
  - G And if the flour got wormy, the wormy flour is at his expense. And if the wine turned sour, the sour wine is at his expense.
  - H And he does not receive his fee until after the altar has effected acceptance.
- **5:1** A These are they who are appointed who were in the sanctuary [as its officers]:
  - (1) Yohanan b. Pinhas is in charge of the seals.
  - (2) Ahiah is in charge of the drink offerings.
  - (3) Matthew b. Samuel is in charge of the lots.

(4) Petahiah is in charge of the bird offerings—(Petahiah is the same as Mordecai, and why is he called Petahiah? Because he is able to open questions and expound them and knows seventy languages.)

- (5) Ben Ahiah is in charge of bowel sickness.
- (6) Nehuniah digs ditches [for water].
- (7) Gebini is the herald.
- (8) Ben Geber is in charge of closing the gates.
- (9) Ben Bebai is in charge of the knout.
- (10) Ben Arzah is in charge of the cymbals.
- (11) Hugras b. Levi is in charge of the singing.
- (12) The house of Garmu is in charge of making the Show Bread.
- (13) The house of Abtinas is in charge of preparing the incense.
- (14) Eleazar is in charge of the hangings.
- (15) Pinhas is in charge of the clothing.
- **5:2** A They appoint no fewer than three revenuers and seven supervisors.
  - B And they do not appoint less than two people to a public position of supervision in property matters,
  - C except for Ben Ahiah who is in charge of the bowel sickness [M. 5:1A5],

- D and Eleazar who is in charge of the [curtain—]hangings [M. 5:1A14].
- E For them did the majority of the congregation accept.
- **5:3** A Four seals were in the Temple.
  - B And on them was inscribed the following: "Calf," "ram" (male), "kid," sinner."
  - C Ben Azzai says, "There were five, and they were written in Aramaic: "Calf,' ram," "kid "poor sinner" [Lev. 14:21], and "rich sinner" [Lev. 14:10].
  - D "Calf " signifies drink offerings for [offerings from] the herd, large or small, male or female.
  - E "Kid" signifies drink offerings of the flock, whether large or small, male or female,
  - F except for those which accompany rams.
  - G "Ram" signifies drink offerings which come with rams alone.
  - H "Sinner" signifies drink offerings which come with the three beasts of those afflicted by *mesora*.
- **5:4** A He who wanted [to purchase] drink offerings goes over to Yohanan [M. 5:1A1], who is appointed to be in charge of the seals.
  - B He pays him the fee and receives a seal from him.
  - C He goes over to Ahiah [M. 5:1A2], who is appointed to be in charge of the drink offerings.
  - D He hands over the seal to him and receives the drink offerings from him.
  - E Then in the evening the two come together, and Ahiah brings out the seals and receives money for them.
  - F If there was an excess [of funds over seals], the excess belongs to the sanctuary.
  - G And if there was too little money, Yohanan paid out of his own pocket.
  - H For the claim of the sanctuary is always paramount.
- 5:5 A He who lost his seal—
  - B they postpone his [case] until the evening.
  - C If they found [money left over] enough to cover his seal, they give it to him.
  - D But if not, he got nothing.
  - E And the date of that day was written on [the seals], because of deceivers.
- **5:6** A Two chambers were in the Temple, one, the chamber of secret [gifts], the other, the chamber of utensils.
  - B The chamber of secret gifts: Those who fear sin secretly put their contribution into it, and poor folk of good family live off the proceeds [which they receive] in confidence.
  - C The chamber of utensils: Whoever contributes a utensil tosses it into it, and once in thirty days the revenuers open it,
  - D and every utensil which they find there which is useful for the Temple upkeep do they leave [for that purpose].
  - E And as to the rest, they are sold for their value, and the proceeds fall to the chamber for the upkeep of the house.
- **6:1** A (1) Thirteen *shofar* chests, (2) thirteen tables, [and] (3) thirteen acts of prostration were in the sanctuary.
  - B The members of the household of Rabban Gamaliel and the members of the household of R. Hananiah, Prefect of the Priests, would do fourteen prostrations.
  - C And where was the additional one?

- D Toward the woodshed,
- E for so did they have a tradition from their forebears that there the ark was stored away.
- **6:2** A M'SH B: A priest was going about his business and saw that a block of the pavement was slightly different from the rest.
  - B He came and told his fellow.
  - C He did not finish telling [him] before he dropped dead.
  - D Then they knew without doubt that there the ark had been stored away.
- **6:3** A And where were these thirteen acts of prostration?
  - B Four times in the north, four in the south, three in the east, and two in the west,
  - C toward the thirteen gates.
  - D The gates to the south, counting from the western side: the Upper Gate, Kindling Gate, Gate of the Firstlings, Water Gate.
  - E Why is it called Water Gate?
  - F For through it they take the flask of water used in the water offering on the Festival [of Tabernacles].
  - G R. Eliezer b. Jacob says, "Through it *the waters trickle forth* and in time to come they will *issue out from under the threshold of the house* (Ez. 47:1–5).
  - H Opposite them at the north, counting from the west: Jeconiah's Gate, the Gate of the Offering, Women's Gate, Gate of the Song.
  - I Why is it called Jeconiah's Gate?
  - J Because through it Jeconiah went forth on his way into exile.
  - K On the east: Nicanor's Gate.
  - L And it had two wickets, one on the right, one on the left.
  - M And two on the west,
  - N which had no names.
- **6:4** A Thirteen tables were in the sanctuary:
  - B eight of marble in the shambles, on which they rinse the innards [of offerings];
  - C two at the west of the ramp, one of marble and one of silver—
  - D on the one of marble they lay out the limbs, and on the one of silver, the utensils of service;
  - E two in the Porch on the inside, at the entry of the house, one of marble and one of gold—
  - F on the one of marble they put the Show Bread when it is brought in, and on the one of gold when it is taken out,
  - G for they promote what is holy to a higher status and do not bring it down;
  - H one of gold inside, on which the Show Bread is set at all times.
- **6:5** A Thirteen *shofar* chests were in the sanctuary.
  - B And written on them were the following [in Aramaic]:
  - C (1) "New *sheqels*" and (2) "old *sheqels*,"
  - D (3) "bird offerings," and (4) "young birds for a burnt offering"; (5) "wood" and (6) "frankincense"; (7) "gold for the Mercy seat," and on six, "for freewill offerings."
  - E *New sheqels*—those for each year [that is, for the present year].
  - F Old sheqels—He who did not pay his sheqel last year pays his sheqel in the coming year.
  - G *Bird offerings—these* are for turtledoves.
  - H Young birds for a burnt offering—these are for pigeons.
  - I "And all of them [of D3, 4] are burnt offerings," the words of R. Judah.

- J And sages say, "*Bird offerings*—one is offered as a sin offering and one as a burnt offering [as at Qinnim, for a sin offering].
- K "Young birds for the whole offering—all of them are burnt offerings."
- **6:6** A He who says, "Lo, I pledge myself to give wood" should give no less than two pieces;
  - B "... frankincense" should give no less than a handful;
  - C "... gold" should give no less than a gold *denar*
  - D And on six of them, for freewill offerings—
  - E As to the freewill offering: What did they do with it?
  - F They purchase burnt offerings.
  - G The meat is to the Lord, and the hides belong to the priests.
  - H This exegesis did Jehoida, the High Priest, expound: "*It is a guilt offering, he has certainly been guilty before the Lord* (Lev. 5:19)—
  - I "This is the governing principle: Whatever is brought because of sin or guilt—with it burnt offerings are purchased. The meat is for the Lord, and the hides go to the priests.
  - J "Thus it turns out two Scriptures are carried out: [*He shall bring*] his guilt offering to the Lord (Lev. 5:15), and, For a guilt offering for the priest (Lev. 5:18).
  - K "And so it says, *The money for the guilt offerings and the money for the sin offerings was not brought into the house of the Lord; it was the priests*' (II Kings 12:16)."
- **7:1** I A Money which is found between the chest for *sheqels* and that for freewill offerings—
  - B [if it is] nearer to the chest for *sheqels*, it falls to that for *sheqels*.
  - C [If it is] nearer to that for freewill offerings, it falls to that for freewill offerings.
  - D [If it is] halfway in between, it falls to that for freewill offerings.
  - II E [If it is found] between the chest for wood and the chest for frankincense, [if it is] nearer to the chest for wood, it goes to the chest for wood.
    - F [If it is] nearer the chest for frankincense, it goes for the chest for frankincense.
    - G [If it is] halfway in between, it goes to the chest for frankincense.
  - III H [If it is found] between the chest for bird offerings and the chest for young birds for whole offerings,
    - I [if it is] nearer the chest for bird offerings, it goes to the chest for bird offerings.
    - J [If it is] nearer the chest for young birds for whole offerings, it goes to the chest for young birds for whole offerings.
    - K [If it is] halfway in between, it goes to the chest for young birds for whole offerings.
  - IV L (If it is found] between unconsecrated coins and coins in the status of second tithe,
    - M [if it is] nearer the unconsecrated coins, it goes to the purposes of unconsecrated coins.
      - N [If it is] nearer to the coins in the status of second tithe, it falls for the purposes of money in the status of second tithe.
      - O [If it is] halfway in between, it goes to the purposes of money in the status of second tithe.
      - P This is the governing principle: They follow the status of that which is nearer, [even if this produces] a lenient ruling.
      - Q But if the money is found exactly halfway in between, they impose the more stringent ruling.

- B throughout the year, it is deemed money in the status of second tithe.
- C [If it is found] on the Temple mount, it is assumed to be unconsecrated money.
- D [If it is found] in Jerusalem during a pilgrim festival, it is assumed to be money in the status of second tithe.
- E And at all other times of the year, it is deemed to be unconsecrated.
- 7:3 A Meat which is found in the courtyard—
  - I B [if it is in] limbs, it is deemed to derive from burnt offerings [M. Tam. 4:2].
  - II C [If it is in] pieces, it is deemed to derive from sin offerings.
  - III D [If it is found] in Jerusalem, it is deemed to derive from peace offerings.
    - E In each instance its appearance is allowed to spoil, and it goes out to the place of burning.
      - F [If] it is found out in the provinces,
      - G [if it is in] limbs, it is deemed to be carrion.
      - H [If it is in] pieces, it is permitted.
      - I And at the time of a festival, when there is plenty of meat, even limbs are permitted.
- **7:4** A Cattle found between Jerusalem and Migdal Eder— and in an equivalent range on all sides of the city—
  - B [if] male, they are deemed to be burnt offerings;
  - C [if] female, they are deemed to be peace offerings.
  - D R. Judah says, "That which is suitable for Passover offerings are Passover offerings [if they are found] thirty days before that festival."
- **7:5** A Aforetimes they would exact pledges from the ones who found [such a beast], until he would bring its drink offerings.
  - B They ended up leaving them and running out.
  - C The court ordained that its drink offerings should derive from public funds.
- **7:6** A Said R. Simeon, "Seven rules did the court ordain, and this (1) [foregoing one] is one of them.
  - B (2) "A gentile who sent his burnt offering from overseas and sent drink offerings with it they are offered from what he has sent. But if not, they are offered from public funds.
    (3) "And so too a proselyte who died and left animals designated for sacrifices— if it has drink offerings, they are offered from his estate. And if not, they are offered from public funds.

(4) "And it is a condition imposed by the court on a high priest who died, that his meal offering [Lev. 6:13] should derive from public funds."

- C R. Judah says, "It derives from the funds of the heirs, and it was offered whole."
- **7:7** A "[They ordained] (5) concerning salt and wood, that priests should be able to make use of them;
  - B "(6) concerning the red cow, that the laws of sacrilege should not apply to its ashes;
  - C "(7) concerning invalid bird offerings, that [others to replace them] should derive from public funds."
  - D R. Yose says, "He who provides the bird offerings must provide others in place of the invalid ones."

- 8:1 A "All drops of spit which are found in Jerusalem are assumed to be clean,
  - B "except for those [found in] the Upper Market Place," the words of R. Meir.
    - C R. Yose says, "On the ordinary days of the year, those [found] in the middle [of the road] are unclean, and those found on the sides are clean. And at the time of the festival, those [found] in the middle of the road are clean, and those [found] on the sides are unclean,
    - D "for, because [at festival time] they [who are unclean] are few in number, they withdraw to the sides of the road."
- **8:2** A "All utensils found in Jerusalem,
  - B "on the path down to an immersion pool, are assumed to be unclean.
  - C "[If they are found] on the path up from the immersion pool, they are assumed to be clean.
  - D "For the way down is different from the way up," the words of R. Meir.
  - E R. Yose says, "All of them are clean,
  - F "except for a basket, shovel, or pick, [which are] particularly used for digging graves."
- **8:3** A A knife found on the fourteenth [of Nisan]—
  - B one slaughters with it forthwith.
  - C [If it is found] on the thirteenth, one immerses it again.
  - D And as to a chopper, one way or the other, one immerses again.
  - E [If] the fourteenth coincided with the Sabbath, one slaughters with it immediately.
  - F [If the chopper was found] on the fifteenth of Nisan, one slaughters [the beast] with [the chopper] immediately.
  - G [If] it was found tied to a knife, lo, this is in the status of [that] knife.
- **8:4** A The veil [of the Temple] which contracted uncleanness from an Offspring of uncleanness—
  - B they immerse it inside [the courtyard] and bring it in forthwith.
  - C And that which was made unclean by a Father of uncleanness—
  - D they immerse it outside and spread it out on the Rampart.
  - E But if it was new, they spread it out on the roof of the portico,
  - F so that people may see how fine is its workmanship.
- **8:5** A Rabban Simeon b. Gamaliel says in the name of R. Simeon, Son of the Prefect, "The veil was a handbreadth thick, and was woven on a loom of seventy-two cords,
  - B "and each cord was made up of twenty-four threads.
  - C "It was forty cubits long, and twenty cubits broad.
  - D "It was made by eighty-two young girls [or: it was made up of eighty-two times ten thousand threads].
  - E "And they make two a year.
  - F "And three hundred priests immerse it."
- **8:6** A Meat of Most Holy Things which was made unclean, whether by a Father of uncleanness or by an Offspring of uncleanness,
  - B whether inside or outside the Temple courtyard—
  - C the House of Shammai say, "All is burned inside,
  - D "except for that which was made unclean by a Father of uncleanness, which is burned outside."

- E And the House of Hillel say, "All is burned outside, except for that which is made unclean by an Offspring of uncleanness, which is burned inside."
- **8:7** A R. Eliezer says, "That which is made unclean by a Father of uncleanness, whether inside or outside, is to be burned outside."
  - B "That which is made unclean by an Offspring of uncleanness, whether inside or outside, is to be burned inside."
  - C R. Aqiba says, "Where it is made unclean, there it is burned."
- **8:8** I A Limbs of the daily whole offering are set down on the altar ramp, on the lower half, on the east.
  - II B And those of the additional offerings are set down on the lower half of the ramp, at the west.
  - III C And those of the offerings for the New Months are set down on the rim of the altar, above.
    - D [Laws concerning] *sheqel* dues and firstfruits apply only in the time of the Temple.
    - E But those concerning tithe of grain, tithe of cattle, and of firstlings apply both in the time of the Temple and not in the time of the Temple.
    - F He who [nowadays] declares *sheqels* and firstfruits to be holy—lo, this is deemed holy.
    - G R. Simeon says, "He who says, 'Firstfruit is holy,'—they do not enter the status of Holy Things."

## YOMA

- **1:1** A Seven days before the Day of Atonement they set apart the high priest from his house to the councillors' chamber.
  - B And they [also] appoint another priest as his substitute,
  - C lest some cause of invalidation should overtake him.
  - D R. Judah says, "Also: they appoint another woman as a substitute for his wife,
  - E "lest his wife die.
  - F "Since it says, And he shall make atonement for himself and for his house (Lev. 16:6).
  - G *"His house*—this refers to his wife."
  - H They said to him, "If so, the matter is without limit."
- **1:2** A All seven days he tosses the blood, offers up the incense, trims the lamp, and offers up the head and hind leg [of the daily whole offering].
  - B But on all other days, if he wanted to offer it up he offers it up.
  - C For a high priest offers up a portion at the head and takes a portion at the head [of the other priests].
- **1:3** A They handed over to him elders belonging to the court, and they read for him the prescribed rite of the day [of atonement].
  - B And they say to him, "My lord, high priest, you read it with your own lips,
  - C "lest you have forgotten—or never [even] learned it to begin with."

- D On the eve of the Day of Atonement at dawn they set him up at the eastern gate and bring before him bullocks, rams, and sheep,
- E so that he will be informed and familiar with the service.
- **1:4** A All seven days they did not hold back food or drink from him.
  - B [But] on the eve of the Day of Atonement at dusk they did not let him eat much,
  - C for food brings on sleep.
- **1:5** A The elders of the court handed him over to the elders of the priesthood,
  - B who brought him up to the upper chamber of Abtinas.
  - C And they imposed an oath on him and took their leave and went along.
  - D [This is what] they said to him, "My lord, high priest: We are agents of the court, and you are our agent and agent of the court.
  - E "We abjure you by Him who caused his name to rest upon this house, that you will not vary in any way from all which we have instructed you."
  - F He turns aside and weeps.
  - G And they turn aside and weep.
- **1:6** A If he was a sage, he expounds [the relevant Scriptures].
  - B And if not, disciples of sages expound for him.
  - C If he was used to reading [Scriptures], he read.
  - D And if not, they read for him.
  - E And what do they read for him?
  - F In Job, Ezra, and Chronicles.
  - G Zekhariah b. Qebutal says, "Many times I read for him in the book of Daniel."
- **1:7** A [If] he tried to doze off, young priests snap their middle fingers before him and say to him, "My lord, high priest: Stand up and drive off [sleep] by walking on the cold stones."
  - B And they would keep him busy until the time for the slaughter had come.
- **1:8** A Every day they take up the ashes from the altar at the cock's crow or near it,
  - B whether before or after it.
    - C At the Day of Atonement from midnight, and on festivals at the end of the first watch [they do so].
    - D And never did the cock crow before the courtyard was filled with masses of Israelites.
- **2:1** A At first whoever wants to take up the ashes from the altar does so.
  - B And when they are many [who wanted to do so], they run up the ramp.
  - C And whoever gets there before his fellow, within four cubits of the altar, has acquired the right to do so.
  - D And if the two came at the same time, the one in charge says to them, "Choose up [by raising a finger]."
  - E And what do they put forth?
  - F One or two.
  - G But they did not put out the thumb in the Temple.
- **2:2** A  $M'SH\check{S}$ : There were two who got there at the same time, running up the ramp.

- B And one shoved his fellow.
- C And he [the other] fell and broke his foot.
- D When the court saw that the matter was dangerous, they ordained that the right of clearing off the ashes from the altar should be apportioned only by lot.
- E There were four lots, and this was the first of the four.
- **2:3** II A The second lot: (1) Who slaughters the animal, (2) who tosses the blood, (3) who clears the ashes off the inner altar, (4) who clears the ashes off the candelabrum, and who brings the limbs up the ramp:
  - B (5) the head, (6) right hind leg, (7) two forelegs, (8) rump, (9) left hind leg, (10) breast, (11) neck, (12) two flanks, and (13) innards;
  - C the fine flour, the Baked Cakes (Lev. 6:21), and the wine.
  - D Thirteen priests acquired the right to participate in the service.
  - E Said Ben Azzai before R. Aqiba in the name of R. Joshua, "In the way in which it walked it was offered."
- **2:4** III A The third lot: "Those who are new to the burning of the incense, come and draw lots."
  - IV B The fourth: "Those who are new and those who are experienced— who will bring up the limbs from the ramp to the altar itself?"
- **2:5** A The daily whole offering was offered by nine, ten, eleven, or twelve [priests], no less, no more.
  - B How so?

Ι

- C It itself was offered by nine [priests].
- D On the Festival [of Tabernacles], in the hand of one [additional priest] was flask of water—thus ten.
- E At dusk, by eleven: it itself by nine, and two, with two pieces of wood in their hands.
- F And on the Sabbath, by eleven: it itself by nine, and two priests, with two dishes of frankincense for the Show Bread in their hands.
- G And on the Sabbath which coincides with the Feast [of Tabernacles], in the hand of yet another priest was a flask of water.
- **2:6** A A ram was offered by eleven: the meat by five, the innards, flour, and wine by two each.
- **2:7** A An ox was offered by twenty-four:
  - B the head and the right hind leg—the head by one, and the right hind leg by two;
  - C the rump and the left hind leg—the rump by two, and the left hind leg by two;
  - D the breast and the neck—the breast by one, and the neck by three;
  - E the two forelegs by two;
  - F the two flanks by two;
  - G the innards, the fine flour, and the wine by three each.
  - H Under what circumstances?
  - I In the case of public offerings.
  - J But in the case of an individual's offering,
  - K if [one priest] wanted to offer it up [all by himself], he offered it up.
  - L Flaying and cutting up both these and those [offerings] are subject to the same rules.

- **3:1** A The supervisor said to them, "Go and see whether the time for slaughtering the sacrifice has come."
  - B If it has come, he who sees it says, "It is daylight!"
  - C Mattithiah b. Samuel says, "[He says], 'Has the whole east gotten light?'
  - D "'To Hebron?'
  - E "And he says, 'Yes.' "
- **3:2** A And why were they required to do this?
  - B For once the moonlight came up, and they supposed that the eastern horizon was bright, and so they slaughtered the daily whole offering and had to bring it out to the place of burning.
  - C They brought the high priest down to the immersion hut.
  - D This governing principle applied in the Temple: Whoever covers his feet [and defecates] requires immersion, and whoever urinates requires sanctification [the washing] of hands and feet.
- **3:3** A A person does not enter the courtyard for the service, even if he is clean, unless he immerses.
  - B Five acts of immersion, and ten acts of sanctification of the hands and feet, does the high priest carry out on that day.
  - C And all of them are in the sanctuary at the *Parvah* chamber, except for this one alone.
- **3:4** A They spread out a linen sheet between him and the crowd.
  - I B He took off his clothes, went down, immersed, came up, and dried off.
    - C They brought him golden garments, and he put them on, and (1) he sanctified his hands and feet.
    - D They brought him the daily whole offering.
    - E He cut [the windpipe and gullet], and another priest completed the slaughtering on his behalf.
    - F He received the blood and tossed it.
    - G He went in to offer up the incense offering of the morning, to trim the lamps, and to offer up the head and limbs, Baked Cakes, and wine.
- **3:5** A The incense offering of the morning was offered between the tossing of the blood and the offering up of the limbs.
  - B That of twilight [was offered up] between the burning of the limbs and the drink offerings.
  - C If the high priest was decrepit or infirm, they heated hot water for him and poured it into the cold water,
  - D to relieve the chill.

- A They brought him to the *Parvah* chamber, and it was in the sanctuary.
  - B They spread out a linen sheet between him and the crowd.
  - C (2) He sanctified his hands and feet and took off his clothes.
  - D R. Meir says, "He took off his clothes, sanctified his hands and feet."
- II E He went down, immersed, came up, and dried off.
  - F They brought him white clothes.
  - G He put them on and (3) sanctified his hands and feet.

- **3:7** A "At dawn he would put on a garment of Pelusium linen worth twelve *manehs*, and at dusk, he wore Indian linen worth eight hundred *zuz*," the words of R. Meir.
  - B And sages say, "At dawn he would put on a garment worth eighteen *manehs*, and at dusk, one worth twelve *manehs*.
  - C "In all it was worth thirty *manehs*."
  - D These belong to the public.
  - E And if he wanted to spend more, he could do so at his own expense.
- **3:8** A He came over to his bullock.
  - B Now his bullock was set between the Porch and the Altar.
  - C Its head was to the south and its face to the west.
  - D And the priest stands at the east, with his face to the west.
  - E And he puts his two hands on it and states the confession.
  - F And thus did he say, "O Lord, I have committed iniquity, transgressed, and sinned before you, I and my house. O Lord, forgive the iniquities, transgressions, and sins, which I have done by committing iniquity, transgression, and sin before you, I and my house.
  - G "As it is written in the Torah of Moses, your servant, For on this day shall atonement be made for you to clean you. From all your sins shall you be clean before the Lord (Lev. 16:30)."
  - H And they respond to him, "Blessed is the name of the glory of his kingdom forever and ever."
- **3:9** A He came to the east side of the courtyard, to the north of the altar, with the prefect at his right hand and the head of the father's house at the left.
  - B There were two goats.
  - C There also was a box with two lots.
  - D They used to be a boxwood, but Ben Gamla made them of gold.
  - E Consequently he was remembered with honor.
- **3:10** A Ben Qatin made twelve stopcocks for the laver, which had had only two.
  - B And he too made a mechanism for the laver, so its water should not be invalidated by being kept overnight.
  - C King Monobases had handles made of gold for all the vessels used on the Day of Atonement.
  - D Helene, his mother, set a golden candlestick over the door of the sanctuary.
  - E She also made a golden tablet, on which was written the pericope of the accused wife.
  - F As to Nicanor, miracles were done at his doors.
  - G And they remembered him with honor.
- **3:11** A But these [were remembered] dishonorably:
  - B the members of the household of Garmu did not want to teach others how to make the Show Bread.
  - C The members of the household of Abtinas did not want to teach others how to make the incense.
  - D Hygras b. Levi knew a lesson of singing but did not want to teach it to anyone else.
  - E Ben Qamsar did not want to teach others how to write.
  - F Concerning the first ones listed is stated the following verse: *The memory of the just is blessed* (Prov. 10:7).

- G And concerning these [latter ones] is stated the following verse: *But the name of the wicked shall rot*.
- **4:1** A He shook the box [with the lots] and brought up the two lots.
  - B On one was written, "For the Lord," and on one was written, "For Azazel."
  - C The prefect was at his right, and the head of the ministering family [father's house] at his left.
  - D If the lot *"for the Lord"* came up in his right hand, the prefect says to him, "My lord, high priest, raise up your right hand."
  - E If the one *"for the Lord"* came up in his left hand, the head of the ministering family says to him, "My lord, high priest, raise up your left hand."
  - F He put them on the two goats and says, "For the Lord, a sin offering."
  - G R. Ishmael says, "He did not have to say, 'Sin offering,' but only 'For the Lord.' "
  - H And they respond to him, "Blessed is the name of the glory of his kingdom forever and ever."
- 4:2 A He tied a crimson thread on the head of the goat which was to be sent forth,
  - B and set it up towards the way by which it would be sent out.
  - C And on that which was to be slaughtered [he tied a crimson thread] at the place at which the act of slaughter would be made [the throat].
  - D And he came to his bullock a second time [M. 3:8A] and put his two hands on it and made the confession.
  - E And thus did he say, "O Lord, I have committed iniquity, transgressed, and sinned before you, I and my house and the children of Aaron, your holy people.
    "O Lord, forgive, I pray, the iniquities, transgressions, and sins which I have committed, transgressed, and sinned before you, 1, my house, and the children of Aaron, your holy people,
  - F "as it is written in the Torah of Moses, your servant, *For on this day shall atonement be made for you to cleanse you. From all your sins shall you be clean before the Lord* (Lev. 16:30)."
  - G And they responded to him, "Blessed is the name of the glory of his kingdom forever and ever."
- **4:3** A He slaughtered it and received its blood in a basin.
  - B He handed it over to him who would stir it while standing on the fourth terrace of the sanctuary, so that it would not congeal.
  - C He took the fire pan and went up to the top of the altar.
  - D He cleared off coals to either side and scooped up glowing cinders from below.
  - E Then he came down and set it down on the fourth terrace of the courtyard.
- **4:4** I A Every day he would scoop out the cinders with a silver fire pan and empty them into a golden one.
  - B But today he would clear out the coals in a gold one, and in that same one he would bring the cinders in[to the inner sanctuary].
  - II C On other days he would clear out cinders with one holding four *qabs* and empty that into one holding three *qabs*.
    - D But today he would clear them out with one holding three *qabs*, and in that same one he would bring the cinders in[to the inner sanctuary].

- III E R. Yose says, "Every day he would clear the cinders out in one holding *a seah* and empty it into one holding three *qabs*.
  - "But today he would clear the cinders in one holding three *qabs*, and in that same F one he would bring the cinders in."
- Every day it was heavy. Ι G
- Η But today it was light.
- Every day its handle was short. Π Ι
- J But today it was long.
- III Κ "Every day it was of yellow gold,
  - "But today it was of red gold," the words of R. Menahem. L
- Every day one would offer up half a *maneh* of incense at dawn and half at dusk. IV Μ But today he would add his two handfuls [of incense]. Ν
- Every day it was fine. V 0
  - Р But today it was the finest of the fine.
- Ι А Every day the priests go up on the east side of the ramp and go down on the west.
  - В But today the high priest goes up right in the middle of the ramp and goes down right in the middle.
    - R. Judah says, "At all times the high priest goes up in the middle and goes down in С the middle."
  - Π D Every day the high priest sanctifies his hands and feet from the laver.
    - Today he does it from a golden jug. E
    - R. Judah says, "At all times the high priest sanctifies his hands and feet from a F golden jug."
- 4:6 Ш "Every day there were four stacks of wood there. А
  - "But today there were five," the words of R. Meir. В
    - R. Yose says, "Every day there were three, С
    - "but today there were four." D
    - R. Judah says, "Every day there were two. E
    - "But today there were three." F
- 5:1 They brought the ladle and fire pan out to him. А
  - В And he took [from the pan] handsful [of incense] and put [the incense] into the ladle—
  - С a large one in accord with the large size [of his hand], or a small one in accord with the small size [of his hand],
  - D such was the required measure [of the ladle].
  - He took the fire pan in his right hand and the ladle in his left. E
  - He then walked through the Sanctuary, until he came to the space between the two veils F which separate the Holy Place from the Most Holy Place,
  - and the space between them was a cubit. G
  - R. Yose says, "There was only a single veil there alone, Η
  - "since it says, And the veil shall divide for you between the holy place and the most holy Ι place (Ex. 26:33)."
  - The outer one was looped up at the south, and the inner one at the north. J
  - Κ He walks between them until he reaches the northern side.
  - [When] he has reached the northern side, he turns around toward the south, walks along L with the curtain at his left until he has reached the ark.
  - (When] he has reached the ark, he places the fire pan between the two bars [Ex. 25:12]. Μ

- N He piled up the incense on the coals, so that the whole house was filled with smoke.
- O He came out, going along by the way by which he had gone in.
- P And he said a short prayer in the outer area.
- Q He did not prolong his prayer, so as not to frighten the Israelites.
- **5:2** A Once the ark was taken away, there remained a stone from the days of the earlier prophets, called Shetiyyah.
  - B It was three fingerbreadths high.
  - C And on it did he put [the fire pan].
- **5:3** A He took the blood from the one who had been stirring it [M. 4:3B].
  - B He [again] went into the place into which he had entered and again stood on the place on which he had stood.
  - C Then he sprinkled some [of the blood], one time upwards and seven times downwards.
  - D But he did not intentionally toss it upwards or downwards.
  - E But [he did it] like one who cracks a whip.
  - F And thus did he count: "One, one and one, one and two, one and three, one and four, one and five, one and six, one and seven."
  - G He went out and he set down [the bowl of blood] on the golden stand in the Sanctuary.
- **5:4** A They brought him the goat.
  - B He slaughtered it and received its blood in a basin.
  - C He went into that same place into which he had entered, and stood on that same place on which he had stood.
  - D And he sprinkled some [of the blood], one time upwards and seven times downwards.
  - E But he did not intentionally sprinkle upwards or downwards.
  - F But he [did it] like one who cracks a whip.
  - G And thus did he count: "One, one and one, one and two," and so forth.
  - H He went out and he set it on the second stand which was in the Sanctuary.
  - I R. Judah says, "There was only one stand there alone.
  - J "He took the blood of the bullock and set down the blood of the goat in its place,"
  - K and sprinkled some of it on the veil toward the ark outside.
  - L [He sprinkled some of the blood] one time upwards and seven times downwards.
  - M But he did not intentionally sprinkle upwards or downwards.
  - N But he did it like one who cracks a whip.
  - O And thus did he count: "One, one and one, one and two," and so forth.
  - P He took the blood of the goat and set down the blood of the bullock, and he sprinkled some of it on the veil toward the ark, on the outside of the veil,
  - Q one time upwards and seven times downwards.
  - R But he did not intentionally sprinkle upwards or downwards.
  - S But he did it like one who cracks a whip.
  - T And thus did he count: "One, one and one, one and two," and so forth.
  - U Then he emptied the blood of the bullock into the blood of the goat, and poured the contents of the full basin into the empty one.
- **5:5** A And he went out toward the altar which is before the Lord (Lev. 16:18).
  - B This is the golden altar.
  - C He began to purify [the altar] [by sprinkling the blood] in a downward gesture.

- D From what point does he start?
- E From the northeastern corner, then to the northwestern, southwestern, and southeastern ones.
- F At the place at which he begins in the process of purification on the outer altar, at that point does he complete doing the same at the inner altar.
- G R. Eliezer says, "He stood right where he was and purified [the altar by sprinkling the blood of purification]."
- H And at every one he sprinkled the horn from below to above,
- I except for this one which was before him,
- J on which he would sprinkle [the blood] from above to below.
- **5:6** A He tossed the blood on the top of the altar seven times.
  - B Then did he pour out the residue of the blood onto the western base of the outer altar.
  - C And that [the residue of the blood sprinkled on] the outer altar he poured out on the southern base.
  - D The two streams of blood then mingled together in the [flow of the] surrounding channel and flowed down into the Qidron brook.
  - E They are sold to gardeners for fertilizer.
  - F And the law of sacrilege applies to them [until the sale].
- 5:7 A The entire rite of the Day of Atonement stated in accord with its proper order—
  - B if he did one part of the rite before its fellow, he has done nothing whatsoever.
    - C [If] he took care of the blood of the goat before the blood of the bullock, let him go and sprinkle some of the blood of the goat after he has sprinkled the blood of the bullock.
    - D And if before he had completed the acts of placing the blood on the inner altar, the blood was poured out,
    - E let him bring other blood and go and sprinkle it to begin with on the inner altar [M. 5:3–4].
    - F And so [is the rule] in the case of the sanctuary [M. 5:4], and so in the case of the golden altar [M. 5:5],
    - G for each of them constitutes an act of atonement unto itself [and need not be repeated].
    - H R. Eleazar and R. Simeon say, "From the place at which he broke off, from there he begins once more."
- 6:1 A The two goats of the Day of Atonement—
  - B the religious requirement concerning them is that the two of them be equivalent in appearance, height, and value,
  - C and that they be purchased simultaneously.
  - D But even though they are not equivalent [in these regards], they are valid.
  - E [If] one purchased one this day and the other the next, they are valid.
  - F [If] one of them died, if before the casting of the lots it died, let [the priest] purchase a mate for the survivor.
  - G But if after the casting of the lots it died, let one get another mate and cast lots for them as at the outset.
  - H And he says, "If the one belonging to the Lord died, then this one upon which the lot, 'For the Lord' has come up is to stand in its stead.
  - I "And if the one which was for Azazel has died, this one upon which the lot, 'For Azazel,' has come up will stand in its stead."
  - J And the second one is to be put out to pasture until it is blemished, and then it is sold, and the money received for it is to fall to a freewill offering.

- K For a sin offering of the community is not left to die.
- L R. Judah says, "It is left to die."
- M And further did R. Judah say, "[If] its blood is poured out, let the one who is to be sent forth be left to die.
- N "[If] the one which is to be sent forth died, let its [the other's] blood be poured out."
- **6:2** A He comes to the goat which is to be sent forth and lays his two hands on it and makes the confession.
  - B And thus did he say, "O Lord, your people, the house of Israel, has committed iniquity, transgressed, and sinned before you. Forgive, O Lord, I pray, the iniquities, transgressions, and sins, which your people, the house of Israel, have committed, transgressed, and sinned before you,
  - C "as it is written in the Torah of Moses, your servant, *For on this day shall atonement be made for you to clean you. From all your sins shall you be clean before the Lord* (Lev. 16:30)."
  - D And the priests and people standing in the courtyard, when they would hear the Expressed Name [of the Lord] come out of the mouth of the high priest, would kneel and bow down and fall on their faces and say, "Blessed be the name of the glory of his kingdom forever and ever."
- **6:3** A He gave [the scapegoat] over to the one who was to lead it out.
  - B All are valid to lead it out.
  - C But high priests made it a practice of not letting Israelites lead it out.
  - D Said R. Yose, "*M'SH W*: Arsela led it out, and he was an Israelite."
- **6:4** A They made a ramp for it, on account of the Babylonians,
  - B who would pull out its hair and say, "Take and go, take and go."
  - C The eminent people of Jerusalem used to accompany him to the first booth.
  - D There were ten booths from Jerusalem to the ravine, a distance of ninety *ris*—
  - E seven and a half to a mile.
- 6:5 A At each booth they say to him, "Lo, here is food, here is water."
  - B And they accompany him from one booth to the next,
    - C except for [the man in] the last [tabernacle] among them,
    - D who does not go along with him to the ravine.
    - E But he stands from a distance and observes what he does.
- **6:6** A Now what did he do?
  - B He divided the crimson thread.
  - C Half of it he tied to a rock, and half of it he tied between its horns.
  - D He then pushed it over backward, and it rolled down the ravine.
  - E And it did not reach halfway down the mountain before it broke into pieces.
  - F He came and sat himself down under the last tabernacle until it got dark.
  - G At what time does the one who takes the goat impart uncleanness to garments [Lev. 16:26]? Once he has gone forth from the wall of Jerusalem.
  - H R. Simeon says, "Once he has pushed it into the ravine."
- **6:7** A [Meanwhile, the high priest] came to the bullock and goat which are to be burned.

- B He tore them open and removed their innards.
- C He put them onto a dish and offered them up on the altar.
- D He then twisted [the limbs of the beasts] on poles, and they carried them out to the place of burning.
- E And when do they impart uncleanness to clothing [who carry out the limbs of the goat and bullock]?
- F Once they have gone past the wall of the courtyard.
- G R. Simeon says, "Once the fire has taken hold of the greater part of [the beasts' carcasses]."
- **6:8** A They said to the high priest, "The goat has reached the wilderness."
  - B Now how did they know that the goat had come to the wilderness?
  - C They made sentinel posts, and waved flags, so they might know that the goat had reached the wilderness.
  - D Said R. Judah, "Now did they not have a more impressive sign than that? From Jerusalem to Bet Hiddudo is three *miles*. They can walk a *mile*, come back a *mile*, and wait sufficient time to walk a *mile*, and so they will know that the goat has reached the wilderness."
  - E R. Ishmael says, "Now did they not have another sign? There was a crimson thread tied to the door of the sanctuary. When the goat had reached the wilderness, the thread would turn white,
  - F "as it says, *Though your sins be as scarlet, they shall be as white as snow*" (Is. 1:18).
- **7:1** A The high priest came to read [in the Women's court].
  - B If he wanted to read while wearing linen garments, he reads [wearing them].
  - C If not, he reads wearing his own white vestment.
  - D The beadle of the community takes the scroll of the Torah and gives it to the head of the community, and the head of the community gives it to the prefect [of the priests], and the prefect gives it to the high priest.
  - E The high priest rises and receives it and reads *After the death* (Lev. 16), and *Howbeit on the tenth day* (Lev. 23:26–32).
  - F Then he rolls up the Torah and holds it to his heart and says, "More than what I have read out before you is written here."
  - G And on the tenth (Num. 29:7–11) which is in the Book of Numbers he reads by heart.
  - H Then he says eight blessings over it: "... for the Torah, ... for the Temple service, ... for the confession, ... for the forgiveness of sin, ... for the sanctuary (by itself), for Israel (by themselves), ... and for the priests (by themselves), and for the rest of the Prayer."
- **7:2** A He who can see the high priest when he is reading cannot see the bullock and goat which are burned.
  - B And he who can see the bullock and goat when they are burned cannot see the high priest when he is reading.
  - C But this is not because he is not permitted to do so, but because it was quite a distance.
  - D And the rites concerning both of them were done simultaneously.
- **7:3** A If [the high priest] reads [the Scriptures] wearing linen garments, he (4) sanctified his hands and feet, took them off, descended, immersed, came up, and dried off.
  - B They brought him the golden garments.
  - C He put them on and (5) sanctified his hands and feet.

- D "Then he went out and prepared his ram and the ram of the people [Lev. 16:24], and the seven unblemished lambs a year old [Num. 29:8]," the words of R. Eliezer.
- E R. Aqiba says, "They were offered with the daily whole offering made at dawn.
- F "And the bullock, burnt offering, and goat offered outside (Num. 29:11) were offered with the daily whole offering made at dusk."
- **7:4** A He (6) sanctified his hands and feet and took off his clothes and went down and immersed and came up and dried off.
  - B They brought him white garments, and he put them on, and (7) sanctified his hands and feet.
  - C He went in to bring out the ladle and fire pan.
  - D He (8) sanctified his hands and feet, took off his clothes, went down and immersed, came up and dried off.
  - E They brought him golden garments and he put them on. He (9) sanctified his hands and feet, and entered in to offer up the incense made at dusk, to trim the lamps.
  - F Then he (10) sanctified his hands and feet, and took off his clothes.
  - G They brought him his own clothing and he put it on.
  - H Then they accompany him all the way home.
  - I And they celebrate a festival for all his friends when he has come forth whole from the sanctuary.
- **7:5** A The high priest serves in eight garments, and an ordinary priest in four:
  - B tunic, underpants, head covering, and girdle.
  - C The high priest in addition wears the breastplate, apron, upper garment, and frontlet.
  - D By these did they receive inquiries for the Urim and Thummim.
  - E And they received inquiry only from the king, the court, or from someone in the service of the public.
- **8:1** A On the Day of Atonement it is forbidden to (1) eat, (2) drink, (3) bathe, (4) put on any sort of oil, (5) put on a sandal, (6) or engage in sexual relations.
  - B But a king and a bride wash their faces.
  - C "And a woman who has given birth may put on her sandal," the words of R. Eliezer.
  - D And sages prohibit.
- 8:2 A He who eats a large date's bulk [of food], inclusive of its pit
  - B he who drinks the equivalent in liquids to a mouthful—
  - C is liable.
  - D All sorts of foods join together to form the volume of the date's bulk,
  - E and all sorts of liquids join together to form the volume of a mouthful.
  - F He who eats and he who drinks—
  - G [these prohibited volumes] do not join together [to impose liability for eating or for drinking, respectively].
- **8:3** A [If] one ate and drank in a single act of inadvertence, he is liable only for a single sin offering.
  - B [If] he ate and did a prohibited act of labor, he is liable for two sin offerings.
  - C [If] he ate foods which are not suitable for eating,
  - D or drank liquids which are not suitable for drinking—

- E [if] he drank brine or fish brine—
- F he is exempt.
- 8:4 A As to children, they do not impose a fast on them on the Day of Atonement.
  - B But they educate them a year or two in advance, so that they will be used to doing the religious duties.
- **8:5** A A pregnant woman who smelled food [and grew faint]— they feed her until her spirits are restored.
  - B A sick person—they feed him on the instruction of experts.
  - C If there are no experts available, they feed him on his own instructions,
  - D until he says, "Enough."
- **8:6** A He who is seized by ravenous hunger— they feed him, even unclean things, until his eyes are enlightened.
  - B He who was bitten by a crazy dog—they do not feed him a piece of its liver's lobe.
  - C And R. Mattiah b. Harash permits doing so.
  - D Further did R. Mattiah b. Harash say, "He who has a pain in his throat—they drop medicine into his mouth on the Sabbath,
  - E "because it is a matter of doubt as to danger to life.
  - F "And any matter of doubt as to danger to life overrides the prohibitions of the Sabbath."
- 8:7 A He upon whom a building fell down—
  - B it is a matter of doubt whether or not he is there,
  - C it is a matter of doubt whether [if he is there], he is alive or dead,
  - D it is a matter of doubt whether [if he is there and alive] he is a gentile or an Israelite—
  - E they clear away the ruin from above him.
  - F [If] they found him alive, they remove the [remaining] ruins from above him.
  - G But if they found him dead, they leave him be [until after the Sabbath].
- **8:8** A A sin offering and an unconditional guilt offering atone.
  - B Death and the Day of Atonement atone when joined with repentance.
  - C Repentance atoms for minor transgressions of positive and negative commandments.
  - D And as to serious transgressions, [repentance] suspends the punishment until the Day of Atonement comes along and atones.
- **8:9** A He who says, "I shall sin and repent, sin and repent"—
  - B they give him no chance to do repentance.
  - C ... "I will sin and the Day of Atonement will atone,"—the Day of Atonement does not atone.
  - D For transgressions done between man and the Omnipresent, the Day of Atonement atones.
  - E For transgressions between man and man, the Day of Atonement atones, only if the man will regain the good will of his friend.
  - F This exegesis did R. Eleazar b. Azariah state: "From all your sins shall you be clean before the Lord (Lev. 16:30)— for transgressions between man and the Omnipresent does the Day of Atonement atone. For transgressions between man and his fellow, the Day of Atonement atones, only if the man will regain the good will of his friend."

- G Said R. Aqiba, "Happy are you, O Israel. Before whom are you made clean, and who makes you clean? It is your Father who is in heaven,
- H "as it says, And I will sprinkle clean water on you, and you will be clean (Ez. 36:25).
- I "And it says, O *Lord, the hope [miqweh = immersion pool] of Israel* (Jer. 17:13)—Just as the immersion pool cleans the unclean, so the Holy One, blessed be he, clean Israel."

## SUKKAH

- **1:1** A *A sukkah* which is taller than twenty cubits is invalid.
  - B R. Judah declares it valid.
  - C And one which is not ten handbreadths high,
  - D one which does not have three walls,
  - E or one, the light of which is greater than the shade of which,
  - F is invalid.
  - G A superannuated sukkah—
  - H the House of Shammai declare it invalid.
  - I And the House of Hillel declare it valid.
  - J And what exactly is a superannuated *sukkah*?
  - K Any which one made thirty days [or more] before the Festival [of Sukkot]
  - L But if one made it for the sake of the Festival,
  - M even at the beginning of the year,
  - N it is valid.
- **1:2** A He who makes his *sukkah* under a tree is as if he made it in [his] house.
  - B A sukkah on top of a sukkah—
  - C the one on top is valid.
  - D And the one on the bottom is invalid.
  - E R. Judah says, "If there are no residents in the top one, the bottom one is valid."
- **1:3** A [If] one spread a sheet on top of [a *sukkah*] on account of the hot sun,
  - B or underneath [the cover of boughs] on account of droppings [of the branches or leaves of the bough cover],
  - C or [if] he spread [a sheet] over a four-poster bed [in a *sukkah*],
  - D it is invalid [for dwelling or sleeping and so for fulfilling one's obligation to dwell in the *sukkah*].
  - E But he spreads it over the frame of a two-poster bed.
- **1:4** A [If] one trained a vine, gourd, or ivy over it and then spread *sukkah* roofing on [one of these], it is invalid.
  - B But if the *sukkah* roofing exceeded them,
  - C or if he cut them [the vines] down,
  - D it is valid.
  - E This is the general rule:
  - F Whatever is susceptible to uncleanness and does not grow from the ground—they do not make a *sukkah* roofing with it.

- G And whatever is not susceptible to uncleanness, but does grow from the ground [and has been cut off]—they do make a *sukkah* roofing with it.
- **1:5** A Bundles of straw, wood, or brush—
  - B they do not make a *sukkah* roofing with them.
  - C But any of them which one untied is valid.
  - D And all of them are valid [as is] for use for the sides [of the *sukkah*].
- **1:6** A "They make *sukkah* roofing with boards," the words of R. Judah.
  - B And R. Meir prohibits doing so.
  - C [If] one put on top of it a board which is four handbreadths broad, it is valid,
  - D so long as one not sleep underneath [that particular board].
- **1:7** A A timber roofing which had no plastering—
  - B R. Judah says, "The House of Shammai say, 'One loosens it and removes one [board] between each two.'
  - C "And the House of Hillel say, 'One either loosens it or removes one [board] from between each two.' "
  - D R. Meir says, "One removes one from between each two, and does not loosen [the others at all]."
- **1:8** A He who makes a roof for his *sukkah* out of spits or with the side pieces of a bed—
  - B if there is a space between them equivalent to their own breadth,
  - C [the *sukkah*] is valid.
  - D He who hollowed out a space in a haystack to make a *sukkah* therein—
  - E it is no *sukkah*.
- **1:9** A He who suspends the sides from above to below—
  - B if they are three handbreadths above the ground,
  - C [the sukkah] is invalid.
  - D [If he builds the sides] from the ground upward,
  - E if [they are] ten handbreadths above the ground,
  - F [the sukkah] is valid.
  - G R. Yose says, "Just as [the required height] from below to above (when the wall is built up from the ground] is ten handbreadths,
    "so [the required height] from above to below [when the wall is suspended from above toward the ground] is ten handbreadths [even though the bottom is not within three handbreadths of the ground]."
  - H [If] one sets the *sukkah* roofing three handbreadths from the walls [of the *sukkah*] [the *sukkah*] is invalid.
- **1:10** A A house, [the roof of] which was damaged, and on [the gaps in the roof of which] one put *sukkah* roofing—
  - B if the distance from the wall of the *sukkah* roofing is four cubits, it is invalid [as a *sukkah*].
  - C And so too [is the rule for] a courtyard which is surrounded by a peristyle.
  - D A large *sukkah*, [the roofing of which] they surrounded with some sort of material with which they do not make *sukkah* roofing—
  - E if there was a space of four cubits below it,

- F it is invalid [as a *sukkah*].
- 1:11 A He who makes his *sukkah* in the shape of a cone or who leaned it up against a wall—
  - B R. Eliezer declares it invalid,
  - C because it has no roof.
  - D And sages declare it valid.
  - E A large reed mat,
  - F [if] one made it for lying, is susceptible to uncleanness, and [so] they do not make *sukkah* roofing out of it.
  - G [If one made it] for *sukkah* roofing, they make *sukkah* roofing out of it, and it is not susceptible to uncleanness.
  - H R. Eliezer says, "All the same are a small one and a large one:
  - I "[if] one made it for lying, it is susceptible to uncleanness, and they do not make *sukkah* roofing out of it.
  - J "[If one made it for] *sukkah* roofing, they do make *sukkah* roofing out of it, and it is not susceptible to uncleanness."
- **2:1** A He who sleeps under a bed in a *sukkah* has not fulfilled his obligation.
  - B Said R. Judah, "We had the practice of sleeping under the bed before the elders, and they said nothing at all to us."
  - C Said R. Simeon, *M'SH B*: Tabi, Rabban Gamaliel's slave, slept under the bed.
  - D "And Rabban Gamaliel said to the elders, 'Do you see Tabi, my slave—he is a disciple of a sage, so he knows that slaves are exempt from keeping the commandment of dwelling in the *sukkah*. That is why he is sleeping under the bed.'
  - E "Thus we learned that he who sleeps under bed has not fulfilled his obligation."
- **2:2** A He who props his *sukkah* up with the legs of a bed— it is valid.
  - B R. Judah says, "If it cannot stand on its own, it is invalid."
  - C A *sukkah* [the roofing of which] is loosely put together,
  - D but the shade of which is greater than the light,
  - E is valid.
  - F The [*sukkah*] [the roofing of which] is tightly knit like that of a house,
  - G even though the stars cannot be seen from inside it,
  - H is valid.
- **2:3** A He who makes his *sukkah* on the top of a wagon or a boat— it is valid.
  - B And they go up into it on the festival day.
  - C [If he made it] at the top of a tree or on a camel, it is valid.
  - D But they do not go up into it on the festival day.
  - E [If] two [sides of a *sukkah*] are [formed by] a tree, and one is made by man,
  - F or two are made by man and one is [formed by] a tree,
  - G it is valid.
  - H But they do not go up into it on the festival day.
  - I [If] three are made by man and one is [formed by] a tree, it is valid.
  - J And they do go up into it on the festival day.
  - K This is the governing principle: In the case of any [*sukkah*] in which the tree may be removed, and [the *sukkah*] can [still] stand by itself, it is valid.
  - L And they go up into it on the festival day.

- **2:4** A He who makes his *sukkah* among trees, and the trees are its sides it is valid.
  - B Agents engaged in a religious duty are exempt from the requirement of dwelling in a *sukkah*.
  - C Sick folk and those who serve them are exempt from the requirement of dwelling in a *sukkah*.
  - D [People] eat and drink in a random manner outside of a *sukkah*.
- **2:5** A M'SH W: They brought Rabban Yohanan b. Zakkai some cooked food to taste, and to Rabban Gamaliel two dates and a dipper of water.
  - B And they said, "Bring them up to the *sukkah*."
  - C And when they gave to R. Sadoq food less than an egg's bulk, he took it in a cloth and ate it outside of the *sukkah* and said no blessing after it.
- **2:6** A R. Eliezer says, "Fourteen meals is a person obligated to eat in the *sukkah*,
  - B "one by day and one by night."
  - C And sages say, "There is no fixed requirement, except for the first two nights of the festival alone."
  - D And further did R. Eliezer say, "He who has not eaten his meal in the Sukkah on the first night of the festival should make up for it on the last night of the festival."
  - E And sages say, "There is no way of making it up.
  - F "Concerning such a case it is said, *That which is crooked cannot be made straight, and that which is wanting cannot be reckoned* (Qoh. 1:15)."
- **2:7** A He whose head and the greater part of whose body are in the *sukkah*, but whose table is in the house—
  - B the House of Shammai declare invalid.
  - C And the House of Hillel declare valid.
  - D Said the House of Hillel to the House of Shammai, "Was not the precedent so, that the elders of the House of Shammai and the elders of the House of Hillel went along to pay a sick call on R. Yohanan b. Hahorani, and they found him sitting with his head and the greater part of his body in the *sukkah*, and his table in the house, and they said nothing at all to him!"
  - E Said the House of Shammai to them, "Is there proof from that story? But in point of fact they did say to him, 'If this is how you act, you have never in your whole life fulfilled the religious requirement of dwelling in a *sukkah*!' "
- **2:8** A Women, slaves, and minors are exempt from the religious requirement of dwelling in a *sukkah*.
  - B A minor who can take care of himself is liable to the religious requirement of dwelling in a *sukkah*.
  - C *M'SH W*: Shammai the Elder's daughter-in-law gave birth, and he broke away some of the plaster and covered the hole with *sukkah* roofing over her bed, on account of the infant.
- **2:9** A All seven days a person treats his *sukkah* as his regular dwelling and his house as his sometime dwelling.
  - B [If] it began to rain, at one point is it permitted to empty out [the *sukkah*]?
  - C From the point at which the porridge will spoil.
  - D They made a parable: To what is the matter comparable?

- E To a slave who came to mix a cup of wine for his master, and his master threw the flagon into his face.
- **3:1** I A A stolen or dried-up palm branch is invalid.
  - B And one deriving from an *asherah* or an apostate town is invalid.
  - C [If] its tip was broken off, or [if] its leaves were split, it is invalid.
  - D [If] its leaves were spread apart, it is valid.
  - E R. Judah says, "Let him tie it up at the end."
  - F Thorn palms of the Iron Mountain are valid.
  - G A palm branch which is [only] three handbreadths long,
  - H sufficient to shake,
  - I is valid.

**3:2** II A A stolen or dried-up myrtle branch is invalid.

- B And one deriving from an *asherah* or an apostate town is invalid.
  - C [If] its tip was broken off, [or if] its leaves were split,
  - D or if its berries were more numerous than its leaves,
  - E it is invalid.
  - F But if one then removed some of them, it is valid.
  - G And they do not remove [some of them] on the festival day.

### **3:3** III A A stolen or dried-up willow branch is invalid.

- B And one deriving from an *asherah* or an apostate town is invalid.
- C [If] its tip was broken off, [if] its leaves split, or [if it was] a mountain willow,
- D it is invalid.
- E [If] it was shriveled, or [if] some of the leaves dropped off,
- F or [if it came] from a [naturally watered] field [and did not grow by a brook],
- G it is valid.
- **3:4** A R. Ishmael says, "Three myrtle branches, two willow branches, one palm branch, and one citron [are required],
  - B "even if two [of the myrtle branches] have their tips broken off, and only one does not have its tip broken off."
  - C R. Tarfon says, "Even if all three of them have their tips broken off, [they are valid]."
  - D R. Aqiba says, "Just as one palm branch and one citron fare required], so one myrtle branch and one willow branch [are required]."
- **3:5** IV A A stolen or dried-up citron is invalid.
  - B And one deriving from an *asherah* or from an apostate town is invalid.
  - C [If it derived from] *orlah* fruit, it is invalid.
  - D [If it derived from] unclean heave offering, it is invalid.
  - E [If it derived from] clean heave offering, one should not carry it. But if he carried it, it is valid.
  - F One which is in the status of doubtfully tithed produce—
  - G the House of Shammai declare invalid.
  - H And the House of Hillel declare valid.
  - I And one in the status of second tithe in Jerusalem one should not carry. But if he carried it, it is valid.

- **3:6** A (1) [If] scars covered the greater part of it,
  - B (2) [if] its nipple was removed,
  - C [if] it was peeled, split, (3) had a hole and so lacked any part whatsoever, it is invalid.
  - D (1) [If] scars covered the lesser part of it,
  - E (2) [if] its stalk was removed,
  - F (3) [if] it had a hole but lacked no part whatsoever,
  - G it is valid.
  - I H A dark-colored citron is invalid.
    - I And one which is green like a leek—
    - J R. Meir declares it valid.
    - K And R. Judah declares it invalid.
- **3:7** II A The measure of the smallest [acceptable] citron—
  - B R. Meir says, "The size of a nut."
  - C R. Judah says, "The size of an egg."
  - III D And as to the largest [acceptable size]—
    - E "It must be of such a size that one can hold two in one hand," the words of R. Judah.
      - F R. Yose says, "Even one in two hands."
- **3:8** A "They bind up the *lulab* [now: palm branch, willow branch, and myrtle branch] only with [strands of] its own species," the words of R. Judah.
  - B R. Meir says, "Even with a rope [it is permitted to bind up the *lulab*]."
  - C Said R. Meir, "*M'SH B*: The townsfolk of Jerusalem bound up their palm branches with gold threads."
  - D They said to him, "But underneath they [in fact had] tied it up with [strands of] its own species."
- **3:9** A And at what point [in the *Hallel* Psalms, 113–118] did they shake [the *lulab*]?
  - B "At *O give thanks unto the Lord* (Ps. 118), beginning and end; and at, *Save now, we beseech thee O Lord* (Ps. 118:25)," the words of the House of Hillel.
  - C And the House of Shammai say, "Also: At, *O Lord, we beseech, thee, send now prosperity* (Ps. 118:25)."
  - D Said R. Aqiba, "I was watching Rabban Gamaliel and R. Joshua, for all the people waved their palm branches, but they waved their palm branches only at, *Save now, we beseech thee, O Lord* (Ps. 118:25)."
  - E He who was on a trip and had no *lulab* to carry—
  - F when he reaches home, should carry the *lulab* at his own table.
  - G [If] he did not carry his *lulab* in the morning, he should carry it at dusk,
  - H for the entire day is a suitable time for the palm branch.
- **3:10** A He for whom a slave, woman, or minor read answers after them by saying what they say.
  - B But it is a curse to him.
    - C If an adult male read for him, he answers after him [only] "Halleluyah."

#### **3:11** A Where they are accustomed to repeat [the last nine verses of Ps. 118], let one repeat. B [Where it is the custom] to say them only once, let one say them only once.

- C [Where it is the custom] to say a blessing after it, let one say a blessing after it.
- D Everything follows the custom of the locality.
- E He who buys a *lulab* [palm branch, myrtle branch, willow branch] from his fellow in the Seventh Year [the seller] gives him a citron as a gift.
- F For one is not permitted to buy [the citron] in the Seventh Year.
- **3:12** A At first the *lulab* was carried in the Temple for seven days, and in the provinces, for one day.
  - B When the Temple was destroyed, Rabban Yohanan b. Zakkai ordained that the *lulab* should be carried in the provinces seven days,
  - C as a memorial to the Temple;
  - D and that the whole of the day on which the *omer* is waved should be forbidden [for the use of new produce, which may be used only from the waving of the *omer* and thereafter; this had formerly been at noon].
- **3:13** A [If] the first festival day of the Festival [of Sukkot] coincides with the Sabbath, all the people bring their *lulabs* to the synagogue [on the day before].
  - B On the next day they get up and come along. Each one finds his own and takes it.
  - C For sages have said, "A person does not fulfill his obligation [to wave the *lulab*] on the first day of the Festival by using the *lulab* of his fellow.
  - D "And on all other days of the Festival, one does fulfill his obligation [to wave the *lulab*] by using the *lulab* of his fellow."
- **3:14** A R. Yose says, "[If] the first day of the Festival [of Sukkot] coincides with the Sabbath, [if] one forgot and brought his *lulab* out into the public domain, he is exempt [from the obligation to bring a sin offering],
  - B "because he brought it out [intending to do what is] permitted."
- **3:15** A A woman receives [the *lulab*] from her son or husband and puts it back into water on the Sabbath.
  - B R. Judah says, "(1) On the Sabbath they put it back into [the same water], (2) on the festival day they add water, and (3) on the intermediate days of the festival they change the water."
  - C A minor who knows how to wave the *lulab* is liable to the requirement of waving the *lulab*.
- **4:1** A [The rites of] the *lulab* and the willow branch [carried by the priests around the altar, M. 5:5] are for six or seven [days].
  - B The recitation of the *Hallel* Psalms and the rejoicing are for eight [days].
  - C [The requirement of dwelling in the] *sukkah* and the water libation are for seven days.
  - D And the flute playing is for five or six.
- **4:2** A *The lulab is for seven days*: How so?
  - B [If] the first festival day of the Festival coincided with the Sabbath, the *lulab* is for seven days.
  - C But [if it coincided] with any other day, it is for six days.

- **4:3** A *The willow branch [rite] is for seven days:* How so?
  - B [If] the seventh day of the willow branch coincided with the Sabbath, the willow branch [rite] is for seven days.
  - C But [if it coincided] with any other day, it is for six days.
- **4:4** A The religious requirement of the *lulab* [on the Sabbath]: How so?
  - B [If] the first festival day of the Festival coincided with the Sabbath, they bring their *lulabs* to the Temple mount.
  - C And the attendants take them from them and arrange them on the roof of the portico.
  - D But old people leave theirs in a special room.
  - E They teach them to make the following statement: "To whomever my *lulab* goes, lo, it is given to him as a gift."
  - F On the next day they get up and come along.
  - G And the attendants toss them before them.
  - H They grab at *lulabs* and hit one another.
  - I Now when the court saw that this was leading to a dangerous situation, they ordained that each and every one should take his *lulab* in his own home.
- **4:5** A The religious requirement of the willow branch: How so?
  - B There was a place below Jerusalem, called Mosa. [People] go down there and gather young willow branches. They come and throw them along the sides of the altar, with their heads bent over the altar.
  - C They blew on the *shofar* a sustained, a quavering, and a sustained note.
  - D Every day they walk around the altar one time and say, "Save now, we beseech thee, O Lord! We beseech thee, O Lord, send now prosperity (Ps. 118:25)."
  - E R. Judah says, "[They say], 'Ani waho, save us we pray! Ani waho, save us we pray!' "
  - F And on that day [the seventh day of the willow branch] they walk around the altar seven times.
  - G When they leave, what do they say?
  - H "Homage to you, O altar! Homage to you, O altar!"
  - I R. Eliezer says, "For the Lord and for you, O altar! For the Lord and for you, O altar!"
- **4:6** A As the rite concerning it [is performed] on an ordinary day, so the rite concerning it [is performed] on the Sabbath.
  - B But they would gather [the willow branches] on Friday and leave them in the gilded troughs (of water], so that they will not wither.
  - C R. Yohanan b. Beroqah says, "They would bring palm tufts and beat them on the ground at the side of the altar,
  - D "and that day was called the 'day of beating palm tufts.' "
- **4:7** A Forthwith children throw away their *lulabs* and eat their citrons.
- **4:8** A The Hallel Psalms and the rejoicing are for eight days: How so?
  - B This rule teaches that a person is obligated for the *Hallel* Psalms, for the rejoicing, and for the honoring of the festival day, on the last festival day of the Festival, just as he is on all the other days of the Festival.
  - C The obligation to dwell in the sukkah for seven days: How so?

- D [If] one has finished eating [the last meal of the festival], he should not untie his *sukkah* right away.
- E But he brings down the utensils [only] from twilight onward—
- F on account of the honor due to the last festival day of the Festival.
- **4:9** A *The water libation*: How so?
  - B A golden flask, holding three *logs* in volume, did one fill with water from Siloam.
  - C [When] they reached the Water Gate, they blow a sustained, a quavering, and a sustained blast on the *shofar*
  - D [The priest] went up on the ramp [at the south] and turned to his left [southwest].
  - E There were two silver bowls there.
  - F R. Judah says, "They were of plaster, but they had darkened because of the wine."
  - G They were perforated with holes like a narrow snout,
  - H one wide, one narrow,
  - I so that both of them would be emptied together [one of its wine, flowing slowly, the other of its water, flowing quickly].
  - J The one on the west was for water, the one on the east was for wine.
  - K [If] he emptied the flask of water into the bowl for wine, and the flask of wine into the bowl for water, he has nonetheless carried out the rite.
  - L R. Judah says, "A log [of water] would one pour out as the water libation all eight days."
  - M And to the one who pours out the water libation they say, "Lift up your hand [so that we can see the water pouring out]!"
  - N For one time one [priest] poured out the water on his feet.
  - O And all the people stoned him with their citrons.
- **4:10** A As the rite concerning it [was carried out] on an ordinary day, so was the rite [carried out] on the Sabbath.
  - B But on the eve of the Sabbath one would fill with water from Siloam a gold jug, which was not sanctified,
  - C and he would leave it in a chamber [in the Temple].
  - D [If] it was poured out or left uncovered, one would fill the jug from the laver [in the courtyard].
  - E For wine and water which have been left uncovered are invalid for the altar.
- **5:1** A Flute playing is for five or six days:
  - B This refers to the flute playing on *bet hashshoebah*,
  - C which overrides the restrictions of neither the Sabbath nor of a festival day.
  - D They said: Anyone who has not seen the rejoicing of *bet hashshoebah* in his life has never seen rejoicing.
- **5:2** A At the end of the first festival day of the Festival [the priests and Levites] went down to the women's courtyard.
  - B And they made a major enactment [by putting men below and women above].
  - C And there were golden candleholders there, with four gold bowls on their tops, and four ladders for each candlestick.
  - D And four young priests with jars of oil containing a hundred and twenty *logs*, [would climb up the ladders and] pour [the oil] into each bowl.

- **5:3** A Out of the worn-out undergarments and girdles of the priests they made wicks,
  - B and with them they lit the candlesticks.
    - C And there was not a courtyard in Jerusalem which was not lit up from the light of *bet hashshoebah*.
- **5:4** A The pious men and workers would dance before them with flaming torches in their hand,
  - B and they would sing before them songs and praises.
  - C And the Levites beyond counting played on harps, lyres, cymbals, trumpets, and [other] musical instruments,
  - D [standing, as they played] on the fifteen steps which go down from the Israelites' court to the women's court—
  - E corresponding to the fifteen Songs of Ascents which are in the Book of Psalms—
  - F on these the Levites stand with their instruments and sing their song.
  - G And two priests stood at the upper gate which goes down from the Israelites' court to the women's court, with two trumpets in their hands.
  - H [When] the cock crowed, they sounded a sustained, a quavering, and a sustained note on the *shofar*.
  - I [When] they got to the tenth step, they sounded a sustained, a quavering, and a sustained blast on the *shofar*
  - J [When] they reached the courtyard, they sounded a sustained, a quavering, and a sustained blast on the *shofar*
  - K They went on sounding the *shofar* in a sustained blast until they reached the gate which leads out to the east.
  - L [When] they reached the gate which goes out toward the east, they turned around toward the west,
  - M and they said, "Our fathers who were in this place *turned with their backs toward the Temple of the Lord and their faces toward the east, and they worshipped the sun toward the east* (Ez. 8:16).
  - N "But as to us, our eyes are to the Lord."
  - O R. Judah says, "They said it a second time, 'We belong to the Lord, our eyes are toward the Lord.'"
- **5:5** A They sound no fewer than twenty-one notes in the Temple, and they do not sound more than forty-eight.
  - B Every day there were there twenty-one blasts on the *shofar*:
  - C three at the opening of the gates, nine at the offering of the daily whole offering of the morning, and nine at the offering of the daily whole offering of the evening.
  - D And on days on which an additional offering is made, they would add nine more.
  - E And on the eve of the Sabbath they would add six more:
  - F three to make people stop working, and three to mark the border between the holy day and the ordinary day.
  - G On an eve of the Sabbath which came during the Festival there were forty-eight in all:
  - H three for the opening of the gates, three for the upper gate and the three for the lower gate, three for the drawing of the water, three for the pouring of the water on the altar, nine for the offering of the daily whole offering in the morning, nine for the offering of the daily whole offering of the evening, nine for the additional offerings, three to make the people stop work, and three to mark the border between the holy day and the ordinary day.

- **5:6** A On the first festival day of the Festival there were there thirteen bullocks, two rams, and one goat [Num. 29:13, 16].
  - B There remained fourteen lambs for the eight priestly watches.
  - C On the first day, six offer two each, and the remaining two, one each.
  - D On the second day, five offer two each, and the rest, one each.
  - E On the third day, four offer two each, and the rest, one each.
  - F On the fourth day, three offer two each, and the rest offer one each.
  - G On the fifth day, two offer two each, and the rest offer one each.
  - H On the sixth day, one offers two, and the rest offer one each.
  - I On the seventh, all of them are equal.
  - J On the eighth, they go back to drawing lots, as on the [other] festivals.
  - K They ruled: Whoever offered a bullock one day should not offer one the next day.
  - L But they offer them in rotation.
- **5:7** A Three times a year all the priestly watches shared equally in the offerings of the feasts and in the division of the Show Bread.
  - B At Pentecost they would say to him, "Here you have unleavened bread, here is leavened bread for you."
  - C The priestly watch whose time of service is scheduled [for that week] is the one which offers the daily whole offerings, the offerings brought by reason of vows and freewill offerings, and the other public offerings.
  - D And it offers everything.
  - E On a festival day which comes next to a Sabbath, whether before or after it, all of the priestly watches were equal in the division of the Show Bread.
- **5:8** A [If] a day intervened [between a festival day and a Sabbath], the priestly watch which was scheduled for that time took ten loaves, and the one that stayed back [in the Temple] took two.
  - B And on all other days of the year, the entering priestly watch took six, and the one going off duty took six.
  - C R. Judah says, "The one coming on duty takes seven, and the one going off duty takes five."
  - D The ones going on duty divide at the north, and the ones going off duty divide at the south.
  - E [The priestly watch of] Bilgah always divided it in the south, and their ring was fixed, and their wall niche was blocked up.

# BESAH

- **1:1** I A An egg which is born on the festival day—
  - B the House of Shammai say, "It may be eaten [on that day]."
  - C And the House of Hillel say, "It may not be eaten."
  - II D The House of Shammai say, "[A minimum of] leaven in the volume of an olive's bulk, and [a minimum of] what is leavened in the volume of a date's bulk [are prohibited on Passover (Ex. 13:7)]."
    - E And the House of Hillel say, "This and that are [prohibited in the volume of] an olive's bulk."

- **1:2** III A He who slaughters a wild beast or fowl on the festival—
  - B the House of Shammai say, "He digs with a shovel and covers up [the blood (Lev. 17:13)]."
  - C And the House of Hillel say, "He should not slaughter [at all],
  - D "unless he had dirt ready [for covering up the blood] while it was still day[light on the day preceding the festival]."
  - E But they concur that if he actually did slaughter, he may dig with a mattock and cover up [the blood],
  - F [and] that the ashes of the oven are deemed to have been made ready [on the preceding day, and they too may be used for covering up the blood].
- **1:3** IV A The House of Shammai say, "They do not move a ladder from one dovecot to another.
  - B "But one may lean it from one window to another."
  - C And the House of Hillel permit [moving it].
  - V D The House of Shammai say, "One may not take [pigeons for slaughtering on the festival day] unless he [physically touched and] stirred them up while it was still day."
    - E And the House of Hillel say, "One may stand [at a distance] and say, 'This one and that one I shall take.' "
- **1:4** A [If] one designated black ones and found white ones,
  - B white ones and found black ones,
  - C two and found three—
  - D they are prohibited.
  - E [If he designated] three and found two, they are permitted.
  - F [If he designated pigeons] in the nest and found them in front of the nest, they are prohibited.
  - G But if there are only those particular birds there, lo, these are permitted.
- **1:5** I A The House of Shammai say, "They do not remove cupboard doors on the festival." B (1) And the House of Hillel permit (2) even putting them back.
  - II C The House of Shammai say, "They do not take up a pestle to hack meat on it."
    - D And the House of Hillel permit [doing so].
  - III E The House of Shammai say, "They do not place a hide before the tread [as a doormat],
    - F "nor may one lift it up,
    - G "unless there is an olive's bulk of meat on it."
    - H And the House of Hillel permit.
  - IV I The House of Shammai say, "They do not take out into public domain a minor, a *lulab*, or a scroll of the Torah."
    - J And the House of Hillel permit.
- **1:6** V A The House of Shammai say, "They do not bring dough offering and priestly gifts to the priest on the festival day,
  - B "whether they were raised up the preceding day or on that same day."
  - C And the House of Hillel permit.
  - D The House of Shammai said to them, "It is an argument by way of analogy.

		Е	"The dough offering and the priestly gifts [Dt. 18:3] are a gift to the priest, and
		F	heave offering is a gift to the priest. "Just as [on the festival day] they do not bring heave offering [to a priest], so they
		G	do not bring these other gifts [to a priest]." Said to them the House of Hillel, "No. If you have stated that rule in the case of heave offering, which one [on the festival] may not designate to begin with, will you apply that same rule concerning the priestly gifts, which [on the festival] one may designate to begin with?"
1:7	Ι	А	The House of Shammai say, "Spices are crushed in a wooden crusher,
		В	"and salt in a cruse and with a wooden pot stirrer."
		С	And the House of Hillel say, "Spices are crushed in the usual way, in a stone pestle,
		D	"and salt in a wooden pestle."
1:8	II	А	He who picks out pulse on a festival day—
		В	the House of Shammai say, "He makes his selection of food and eats it [right away]."
		С	And the House of Hillel say, "He makes his selection in his usual way, [putting it down using] his lap, a basket, or a dish;
		D	"but not [using] a board, sifter, or sieve [and preparing a large quantity, for the next day]."
		E	Rabban Gamaliel says, "Also: he swills and separates the husks."
1:9	III	А	The House of Shammai say, "They send on the festival day only [prepared] portions of [food]."
		B C	And the House of Hillel say, "They send domestic beasts, wild beasts, and fowl, "whether alive or already slaughtered."
		D	They send wine, oil, fine flour, and pulse,
		Е	but not grain.
		F	And R. Simeon permits [sending] even grain.
1:10	А		
	В		
	С	•	are needed for use on the festival.
	D		ney do not send] a nail-studded sandal or an unsewn shoe.
	Ε		ah says, "Also: Not a white shoe,
	F	"because it requires a craftsman['s work, to put on the blacking]."	
	G	This is	s the governing principle: Whatever may be used on the festival day do they send.
2:1	А	On a festival which coincided with the eve of the Sabbath [Friday] —	
	В	a person should not do cooking to begin with on the festival day [Friday] for the purposes	
	2	-	Sabbath.
	С		prepares food for the festival day, and if he leaves something over, he has left it
			or use on the Sabbath.
	D	And he prepares a cooked dish on the eve of the festival day [Thursday] and relies on it [to	
			re food on Friday] for the Sabbath as well.
	Е	The House of Shammai say, "Two dishes."	
	F	And the	ne House of Hillel say, "A single dish."

- G But they concur in the case of fish and the egg [cooked] on it, that they constitute two dishes.
- H [If] one ate [the dish intended for the Sabbath] or it was lost, one should not cook another in its stead in the first instance.
- I But if he left over any amount at all of it, he relies on it for the Sabbath.
  - A [If the festival day] coincided with the day after the Sabbath [Sunday],
    - B the House of Shammai say, "They immerse everything before the Sabbath."
    - C And the House of Hillel say, "Utensils [are to be immersed] before the Sabbath.
    - D But man [may immerse] on the Sabbath [itself]."
- **2:3** A And they concur that they effect surface contact between water [which is unclean], contained in a stone utensil [which is insusceptible to uncleanness, with the water of an immersion pool] in order to render [the unclean water] clean.
  - B But they do not immerse [unclean water in an unclean utensil which contains it].
  - C And they immerse [utensils if they are to be changed] from one use to another use,
  - D or [at Passover] from one association [joined to make use of a single Passover lamb] to another [such] association.
- **2:4** II A The House of Shammai say, "[On a festival] they bring peace offerings, but they do not lay hands on them.
  - B "But [they do] not [bring] whole offerings [at all]."
  - C And the House of Hillel say, "They bring peace offerings
  - D "and whole offerings,

Ι

- E "and they lay hands on them."
- **2:5** III A The House of Shammai say, "A person may not heat water for his feet,
  - B "unless it also is suitable for drinking.
  - C And the House of Hillel permit.
  - D A man may [to begin with] make a fire and heat himself by it.
- **2:6** A In three rulings does Rabban Gamaliel impose the more stringent ruling, in accord with the opinion of the House of Shammai:
  - B (1) They do not cover up hot food on the festival day for use on the Sabbath.
  - C (2) And they do not put together a candlestick on the festival day.
  - D (3) And [on a festival] they do not bake bread into large loaves but only into small ones.
  - E Said Rabban Gamaliel, "Never in my father's house did they bake bread into large loaves, but only into small ones."
  - F They said to him, "What shall we make of your father's house? For they imposed on themselves a strict rule, while imposing a lenient rule for all Israelites,
  - G "so that [Israelites] may bake large loaves and thick cakes."
- **2:7** A Also: he gave three rulings to impose a lenient opinion:
  - B (1) They sweep between the couches.
  - C (2) And they put spices on the fire on the festival day.
  - D (3) And they prepare a kid roasted whole on Passover night.
  - E But sages prohibit [in all three instances].

- **2:8** A In three matters does R. Eleazar b. Azariah permit and do sages prohibit:
  - B (1) One's cow goes forth [on the Sabbath] with a strap which is between her horns [cf. M. Shab. 4:5];
  - C they curry cattle on a festival day;
  - D and [on a festival day] they grind pepper in its pepper mill [in the normal manner].
  - E R. Judah says, "They do not curry cattle on the festival day,
  - F "because doing so makes a wound.
  - G "But they may comb them."
  - H And sages say, "They do not curry them.
  - I "Also: they do not comb them."
- **2:9** A A pepper mill is susceptible to uncleanness by reason of constituting three distinct sorts of utensil:
  - B because it forms a receptacle,
  - C and because it is a metal utensil,
  - D and because it constitutes a sieve.
- **2:10** A A child's wagon is susceptible to *midras* uncleanness,
  - B and may be handled on the Sabbath,
  - C but may be dragged (on the Sabbath] only over other articles [e.g., matting].
  - D R. Judah says, "No utensils may be dragged, except for a wagon, because it presses down [the earth, and does not break through the surface]."
- **3:1** A They do not catch fish in a vivarium on a festival day.
  - B And they do not cast food for them.
  - C But they do catch a wild beast or fowl from a vivarium.
  - D And they do cast food for them.
  - E Rabban Simeon b. Gamaliel says, "Not all vivaria are equivalent."
  - F This is the operative principle: Whatever lacks some phase of the process of hunting is prohibited [to be caught], but whatever does not lack some phase of the process of hunting is permitted [to be caught].
- **3:2** A Nets for trapping a wild beast, fowl, or fish, which one set on the eve of the festival day—
  - B one should not take [what is caught therein] out of them on the festival day,
  - C unless one knows for sure that (creatures caught in them] were trapped on the eve of the festival day.
  - D *M'SH B*: A gentile brought fish to Rabban Gamaliel, and he said, "They are permitted. But I do not want to accept them from him."
- **3:3** A A beast on the point of death one should not slaughter
  - B unless there is a sufficient interval on the [festival day] to eat of it an olive's bulk of flesh which has been roasted.
  - C R. Aqiba says, "Even an olive's bulk of raw meat from the place at which the beast is slaughtered [will suffice]."
  - D [If] one has slaughtered it in the field, he should not bring it in on a pole or barrow.
  - E But he may bring it in by hand, limb by limb.
- **3:4** A firstling which fell into a pit—

- B R. Judah says, "Let an expert climb down and examine it. If it bears a blemish, let one bring it up and slaughter it [on the festival]. And if not, he should not slaughter it."
- C R. Simeon says, "Any [beast,] the blemish of which has not been discerned while it is still day [before the festival]— this is not [deemed] to be in the category of that which is ready [for festival use while it is still day before the festival]."
- **3:5** A A domesticated beast which died— one should not move it from where it is located.
  - B *M'SH W*: They asked R. Tarfon about such a case and about a dough offering which had contracted uncleanness. So he went into the study house and asked. They told him, "One should not move them from where they are located."
- **3:6** A They do not take shares in a beast to begin with on the festival day.
  - B But they take shares in it on the eve of the festival, and they then slaughter and divide it among themselves [on the festival day itself].
  - C R. Judah says, "One may weigh out meat in the balance with a utensil or in the balance with the chopper."
  - D And sages say, "They do not use scales at all."
- **3:7** A They do not whet a knife on the festival day,
  - B but one draws it over another [knife].
  - C A person should not say to a butcher, "Weigh out a *denar's* worth of meat for me."
  - D But he slaughters [the beast], and they divide it up among themselves.
- **3:8** A A person says to his fellow, "Fill up this utensil for me,"
  - B but not with a measure.
    - C R. Judah says, "If it was a utensil which served as a measure, he should not fill it up [either]."
    - D M'SHB: Abba Saul b. Botnit would fill up his measuring cups on the eve of a festival and hand them over to purchasers on the festival itself.
    - E Abba Saul says, "Also on the intermediate days of the festival one does so,
    - F "because of the clearness of measure."
    - G And sages say, "Also on an ordinary day one does so, because of the exactness of the measure [not filled in haste]."
    - H A person goes to a storekeeper whom he usually patronizes and says to him, "Give me onions and nuts by number."
  - I For that is in any case how a householder counts out [these same things] in his own home.
- **4:1** A He who [on a festival] brings jars of wine from one place to another should not bring them in a basket or hamper.
  - B But he brings them on his shoulder or [carrying them] before him.
  - C And so too: he who takes straw should not hang the hamper over his back.
  - D But he brings it [carrying it] in his hand.
  - I E And they break into a stack of chopped straw but not into wood stacked in the storage hut.
- **4:2** II A They do not take pieces of wood from [the roof or walls of] *a sukkah*, but [they do] from that [wood] which is near it.
  - III B They bring pieces of wood—

- C from the field—from [that wood] which has been gathered together,
- D and from the outer area [near the town]—even from [that wood] which has been scattered about.
- E What is the 'outer area' [to which reference is made]?
- F "Any area near the town," the words of R. Judah.
- G R. Yose says, "Any area into which people enter with a key,
- H "and even that which is inside the Sabbath limit."
- **4:3** A They do not chop firewood either from beams
  - B or from a beam which broke on the festival day.
    - C And they do not chop wood with an ax, saw, or sickle,
    - D but [only] with a chopper.
    - E A hut full of produce, [which was] blocked up, but which was damaged [so that one now unexpectedly has access to the produce through the breach]—
    - F one takes produce out through the breach.
    - G R. Meir says, "Also: One makes a breach to begin with and removes produce."
- **4:4** A They do not open up a hole (in a lump of clay for use as a lamp],
  - B because one thereby makes a utensil.
  - C And one does not make charcoal on a festival day.
  - D And they do not chop a wick into two.
  - E R. Judah says, "One severs it with a flame between two lamps. [Having set each end into a lamp, he lights the wick in the middle]."
- **4:5** A They do not break a clay utensil or cut a piece of paper
  - B to roast a salt fish thereon.
  - C And they do not clear out the ashes of an oven or stove.
  - D But they level them down.
  - E And they do not bring two jars together to set a pot on them.
  - F And they do not prop up a pot with a chip,
  - G and so is the rule for a door.
  - H And they do not lead a domestic beast with a staff on the festival day.
  - I And R. Eleazar b. R. Simeon permits [doing so].
- **4:6** A R. Eliezer says, "A person takes a wood splinter which may be before him to pick at his teeth.
  - B "And he sweeps up what is in the courtyard to make a fire.
  - C "For whatever is located in the courtyard is deemed available for use [before the festival begins]."
  - D And sages say, "He sweeps up what is before him [in the house] to make a fire."
- **4:7** A They do not produce fire [on the festival day] from wood, stones, earth [sulphur], or liquid. B And they do not heat tiles white-hot to roast on them.
  - C And further did R. Eliezer say, "A man takes up a position at the storage hut on the eve of the Sabbath in the seventh year and says, 'From this [produce] I shall eat tomorrow.' "
  - D And sages say, "[He may do so only] if he makes a mark and says, 'From this place up to that place [shall I take produce to eat tomorrow].' "

- **5:1** A They let down pieces of produce through a hatchway on the festival,
  - B but not on the Sabbath.
  - C And they cover up pieces of produce with utensils against dripping liquid.
  - D And so [may they cover up] jugs of wine or oil.
  - E And they place a utensil under a spout [to catch dripping rain] on the Sabbath.
- **5:2** A For (1) any act for which [people] are liable on grounds of Sabbath rest, for (2) optional acts, or for (3) acts of religious duty, on the Sabbath,
  - B are they liable in regard to the festival day.
  - C And these are the acts for which people are liable by reason of Sabbath rest:
  - D (1) they do not climb a tree, (2) ride a beast, (3) swim in water, (4) clap hands, (5) slap the thigh, (6) or stamp the feet.
  - E And these are the acts [for which people are liable] by reason of optional acts:
  - F (1) they do not sit in judgment, (2) effect a betrothal, (3) carry out a rite *of halisah*, (4) or enter into levirate marriage.
  - G And these are the acts [for which people are liable] by virtue of acts of religious duty:
  - H (1) they do not declare objects to be sanctified, (2) make a vow of valuation, (3) declare something to be *herem*, (4) or raise up heave offering or tithe.
  - I All these actions on the festival have they declared [to be culpable], all the more so [when they are done] on the Sabbath.
  - J The sole difference between the festival and the Sabbath is in the preparation of food alone.
- **5:3** A Domestic cattle and utensils [belonging to a person] are in the status of the owner [himself and restricted to the same limits].
  - B He who hands over his domestic beast to his son or to a shepherd— lo, they are in the status of the owner.
  - C Utensils set aside for use of one of the brothers in a household—lo, they are in his same status.
  - D And those not set aside [for use of a particular person], lo, they are in the status of [the brothers as a whole], so they may go to the place [to which all the brothers may go].
- **5:4** A He who borrows a utensil from his fellow on the eve of the festival it is in the status of the one who borrows [the utensil].
  - B [If he borrows it] on the festival day, it is in the status of the one who lends it.
  - C A woman who borrowed from her girl friend spice, water, or salt for her dough—lo, they are in the status of the two of them.
  - D R. Judah declares exempt in the case of water,
  - E for it is of no substance.
- **5:5** I A A burning coal is in the status of its owner.
  - B But the flame [may go] anywhere.
  - II C A burning coal belonging to the sanctuary is subject to the laws of sacrilege.
    - D But a flame is neither available for common use nor subject to the laws of sacrilege [if it is subjected to common use].
  - III E He who takes out a burning coal to the public domain is liable.
    - F (But if he takes out] a flame, he is exempt.
  - I G A cistern belonging to an individual— [its water] is in the status of that individual.

- II H But if it belongs to the residents of that town, [its water] is in the status of the residents of that town.
- III I And one belonging to those who came up from Babylonia is in the status of the person who draws water from it.
- **5:6** A He whose pieces of fruit [produce] were located in another town,
  - B and the residents of that town prepared an *erub* so as to bring him some of his produce—
  - C [nonetheless] they should not bring it to him.
  - D But if he made the *erub* [in his own behalf],
  - E his pieces of produce are in his own status.
- 5:7 A He who invited guests to his house—
  - B they should not take away portions of food in their hand,
  - C unless he had given them possession of their portions on the eve of the festival day.
  - D They do not give drink to field animals or slaughter them.
  - E But they give drink and slaughter household animals.
  - F What are household animals?
  - G Those that spend the night in town.
  - H Field animals?
  - I Those that spend the night in [distant] pastures.

### **ROSH HASHSHANAH**

- **1:1** A There are four new years:
  - B (1) the first day of Nisan is the new year for kings and festivals;
  - C (2) the first day of Elul is the new year for tithing cattle.
  - D R. Eleazar and R. Simeon say, "It is on the first day of Tishre."
  - E (3) The first day of Tishre is the new year for the reckoning of years, for Sabbatical years, and for Jubilees,
  - F for planting [trees] and for vegetables;
  - G (4) the first day of Shebat is the new year for trees, in accord with the opinion of the House of Shammai.
  - H The House of Hillel say, "On the fifteenth day of that month [is the new year for trees]."
- **1:2** A At four seasons of the year the world is judged:
  - B at Passover for grain;
  - C at Pentecost for fruit of the tree;
  - D at the New Year all who enter the world pass before Him like troops,
  - E since it is said, *He who fashions the hearts of them all, who considers all their works* (Ps. 33:15);
  - F and on the Festival [of Tabernacles] they are judged in regard to water.
- **1:3** A On the occasion of six new moons messengers go forth:
  - B (1) at Nisan, because of Passover; (2) at Ab, because of the fast; (3) at Elul, because of the New Year; (4) at Tishre, because of the determination of the set feasts; (5) at Kislev, because of Hanukkah; and (6) at Adar, because of Purim.

- C And when the Temple stood, they go forth also at Iyyar, because of the lesser Passover [observed by those unclean for the first Passover].
- **1:4** A On the occasion of two new moons [witnesses to the new moon] violate [the prohibitions of] the Sabbath:
  - B at Nisan and at Tishre.
  - C For on these occasions the messengers go forth to Syria.
  - D And on them they determine the set feasts.
  - E And when the Temple stood, they violate [the prohibitions of] the Sabbath on the occasion of all of the [months],
  - F because of the determination of the offering [for the celebration of the new month].
- **1:5** A Whether [the new moon] appeared clearly or did not appear clearly,
  - B they violate the [prohibitions of] the Sabbath on its account.
  - C R. Yose says, "If it appeared clearly, they do not violate the prohibitions of the Sabbath on its account."
- **1:6** A  $M'SH\check{S}$ : More than forty pairs of witnesses came forward.
  - B But R. Aqiba kept them back at Lud.
    - C Rabban Gamaliel said to him, "If you keep back the people, you will turn out to make them err in the future."
- **1:7** A A father and his son who saw the new moon should go [to give testimony].
  - B It is not that they join together with one another [to provide adequate testimony],
  - C but so that, if one of them should turn out to be invalid [as a witness], the other may join with someone else [to make up the requisite number of witnesses].
  - D R. Simeon says, "A father and his son, and all relatives, are valid to give testimony about the new moon."
  - E. Said R. Yose, "*M'SH B*: Tobiah, the physician, saw the new moon in Jerusalem—he, his son, and his freed slave.
  - F "And the priests accepted him and his son [as witnesses to the new moon], but they invalidated the testimony of his slave.
  - G "But when they came before the court, they accepted his [testimony] and that of his slave, but they invalidated that of his son."
- **1:8** A These are the ones who are invalid [to testify about the appearance of the new moon]:
  - B (1) he who plays with dice, (2) they who lend on interest, (3) who race pigeons, (4) and who trade in produce of the Seventh Year, (5) and slaves.
    - C This is the governing principle: Any evidence which a woman is not valid [to offer], also they are not valid [to offer].
- **1:9** A He who saw the new moon but cannot go [on his own]— they bring him along on an ass, even in a palanquin.
  - B And if there is an ambush set up against them, they take staves in hand.
  - C And if it was a long trip, they take food in hand.
  - D For: On account of a journey [requiring travel] for a night and a day they violate [the prohibitions of] the Sabbath and go forth to give testimony about the new moon,

- E since it is said, *These are the set feasts of the Lord, even holy convocations, which you shall proclaim in their appointed season* (Lev. 23:4).
- **2:1** A If they [in Jerusalem] are not going to recognize him, they [in his own town] send another with him to give evidence about him.
  - B At first they would accept testimony concerning the new moon from everybody.
  - C Once the *minim* had spoiled matters, they made the rule that they should accept testimony only from those who are recognized.
- 2:2 II A At first they would kindle flares.B Once the Samaritans had spoiled matters, they made the rule that agents would go forth.
- **2:3** A How did they kindle flares?

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- B They bring long cedar wood sticks, reeds, oleaster wood and flax tow.
- C One binds them together with a rope.
- D And he goes up to the top of a hill and lights them.
- E Then he waves them to and fro and up and down, until he sees his fellow, doing the same on the next hilltop, and so on the third hilltop [and beyond].
- **2:4** A And at what place did they kindle flares?
  - B From the mount of Olives [they gave the signal] to Sarteba, from Sarteba to Agrippina, from Agrippina to Hauran, from Hauran to Bet Baltin.
  - C They did not move from Bet Baltin.
  - D But one waves them to and fro, up and down, until he saw the whole Exile before him lit up like a bonfire.
- **2:5** A There is a large courtyard in Jerusalem, called Bet Yazeq, to which all the witnesses gather.
  - B And there the court examines them.
  - C Now they prepare big meals for them, so that they should make it a habit of coming.
  - III D At first they did not move from there the whole day.
    - E Rabban Gamaliel the elder ordained that they may move about for two thousand cubits in every direction.
      - F And [this rule applies] not only to these, but also (1) a midwife who comes to assist, and (2) one who comes to help out in the case of a fire, (3) in the case of a siege, (4) to save someone from drowning in a river, (5) or from the debris of a house—
    - G lo, these are in the status of the townsfolk, and they have the right to move about for two thousand cubits in all directions.
- **2:6** A How do they examine the witnesses?
  - B The pair which makes its appearance first do they examine first.
  - C They bring in the elder of them and say to him, "Tell us. How did you see the moon? Was it facing the sun or turned away from it? Was it to the north or to the south? How high was it, and in which direction was it leaning? And how broad was it?"
  - D If he said, "It was facing the sun," he has said nothing at all.

- E Then they would bring in the second party and examine him.
- F If their testimony coincided, their testimony was confirmed.
- G And in the case of all the other pairs of witnesses, they ask the main points,
- H not because they needed their [evidence], but so that they should not go out disappointed,
- I so that they would make it a habit of coming along in the future.
- **2:7** A The head of the court [then] says, "It is sanctified."
  - B And the whole crowd answer him, "It is sanctified. It is sanctified."
  - C Whether it appears in the expected time or does not appear in the expected time, they sanctify it.
  - D R. Eleazar b. R. Sadoq says, "If it did not appear in its expected time, they do not sanctify it, for Heaven has already declared it sanctified."
- **2:8** A A picture of the shapes of the moon did Rabban Gamaliel have on a tablet and on the wall of his upper room, which he would show ordinary folk, saying, "Did you see it like this or like that?"
  - B *M'SH Š*: Two witnesses came and said, "We saw it at dawn [on the morning of the twentyninth] in the east and at eve in the west."
  - C Said R. Yohanan b. Nuri, "They are false witnesses."
  - D Now when they came to Yabneh, Rabban Gamaliel accepted their testimony [assuming they erred at dawn].
  - E And furthermore two came along and said, "We saw it at its proper time, but on the night of the added day it did not appear [to the court]."
  - F Then Rabban Gamaliel accepted their testimony.
  - G Said R. Dosa b. Harkinas, "They are false witnesses.
  - H "How can they testify that a woman has given birth, when, on the very next day, her stomach is still up there between her teeth [for there was no new moon!]?"
  - I Said to him R. Joshua, "I can see your position."
- **2:9** A Said to him Rabban Gamaliel, "I decree that you come to me with your staff and purse on the Day of Atonement which is determined in accord with your reckoning."
  - B R. Aqiba went and found him troubled.
  - C He said to him, "I can provide grounds for showing that everything that Rabban Gamaliel has done is validly done, since it says, *These are the set feasts of the Lord, even holy convocations, which you shall proclaim* (Lev. 23:4). Whether they are in their proper time or not in their proper time, I have no set feasts but these [which you shall proclaim] [vs. M. 2:7D]."
  - D He came along to R. Dosa b. Harkinas.
  - E He [Dosa] said to him, "Now if we're going to take issue with the court of Rabban Gamaliel, we have to take issue with every single court which has come into being from the time of Moses to the present day,
  - F "since it says, *Then went up Moses and Aaron, Nadab and Abihu, and seventy of the elders of Israel* (Ex. 24:9).
  - G "Now why have the names of the elders not been given? To teach that every group of three [elders] who came into being as a court of Israel—to, they are equivalent to the court of Moses himself."
  - H [Joshua] took his staff with his purse in his hand and went along to Yabneh, to Rabban Gamaliel, on the Day of Atonement which is determined in accord with his [Gamaliel's] reckoning.

- I Rabban Gamaliel stood up and kissed him on his head and said to him, "Come in peace, my master and my disciple—
- J "My master in wisdom, and my disciple in accepting my rulings."
- **3:1** A [If] the court and all the Israelites saw [the new moon], the witnesses having been examined, but they had no chance to say, "It is sanctified," before it [actually] got dark,
  - B lo, this [month coming to an end] is an intercalated month.
  - C [If] the court alone saw it, let two of them get up and give testimony before the rest of them,
  - D And then they should say, "It is sanctified, it is sanctified."
  - E [If] three of them saw it, and they already are a court, let two of them arise, and let them seat some of their colleagues with the remaining judge, and give testimony before them, so they may say, "It is sanctified, it is sanctified."
  - F For an individual is not regarded as trustworthy by himself [to pronounce the sanctification of the month].
- **3:2** A All *shofars* are valid, except for that of a cow,
  - B because it is a horn.
  - C Said R. Yose, "But are not all *shofars* called horns,
  - D "since it is said, When they will make a long blast with the horn at the Jubilee [when you hear the sound of the shofar] (Josh. 6:5)?"
- **3:3** A The *shofar* for the New Year derives from an antelope.
  - B It is straight.
  - C Its mouth is overlaid with gold.
  - D And at the sides [of the one who blew the *shofar*] are two [who blow] trumpets.
  - E The *shofar* is sounded for a long note, and the trumpets are sounded for a short note [so the *shofar* is heard over the trumpet],
  - F for the religious duty of the day applies to the *shofar*.
- **3:4** A [Those used] on fast days are rams' horns.
  - B They are curved.
  - C Their mouth is overlaid with silver.
  - D And in the middle [of those who blew the *shofar*] are two [who sound] the trumpets.
  - E The *shofar* is sounded for a short note, and the trumpets are sounded for a long note,
  - F for the religious duty of that day applies to the trumpets.
- **3:5** A The proclamation of the year of Jubilee is equivalent to the New Year in regard to the sounding of the *shofar* and to the blessings.
  - B R. Judah says, "On the New Year they sound the rams' horn, and at the Jubilee Year they sound antelopes' horns."
- **3:6** A *A shofar* which cracked and which one stuck together is invalid.
  - B [If] one stuck together the sherds of *shofars*, [the *shofar* constructed in that way] is invalid.
  - C [If] it was perforated and one filled up the hole,
  - D if [the filled hole] affects the sound of the *shofar*, it is invalid.
  - E But if not, it is valid.

- **3:7** A He who sounds the *shofar* into a cistern, cellar, or large jar
  - B if one has heard the sound of the *shofar*, he has fulfilled his obligation.
  - C But if it is the sound of the echo that he has heard, he has not fulfilled his obligation.
  - D And so too: He who was going along behind a synagogue,
  - E or whose house was near a synagogue,
  - F and who heard the sound of the *shofar*
  - G or the sound of the reading of the Scroll of Esther,
  - H if he paid attention [thereby intending to carry out his obligation], he has fulfilled his obligation.
  - I But if not, he has not fulfilled his obligation.
  - J [That is the rule] even if this one heard and that one heard, [for this one] paid attention, and that one did not pay attention [to what he heard].
- **3:8** A *Now it happened that when Moses held up his hand, Israel prevailed, and when he let his hand fall, Amalek prevailed* (Ex. 17:11).
  - B Now do Moses's hands make war or stop it?
  - C But the purpose is to say this to you:
  - D So long as the Israelites would set their eyes upward and submit their hearts to their Father in heaven, they would grow stronger. And if not, they fell.
  - E In like wise, you may say the following:
  - F *Make yourself a fiery serpent and set it on a standard, and it shall come to pass that every one who is bitten, when he sees it, shall live* (Num. 21:8).
  - G Now does that serpent [on the standard] kill or give life? [Obviously not.]
  - H But: So long as the Israelites would set their eyes upward and submit to their Father in heaven, they would be healed. And if not, they would pine away.
  - I [The *shofar* blasts of] a deaf-mute, idiot, and minor do not fulfill the obligation of the community.
  - J This is the governing principle: Whoever is not obligated to carry out a particular deed cannot effect the obligation of the community either.
- 4:1 A The festival day of the New Year which coincided with the Sabbath
  - B in the Temple they would sound the *shofar*
  - C But not in the provinces.
  - D When the Temple was destroyed, Rabban Yohanan ben Zakkai made the rule that they should sound the *shofar* in every locale in which there was a court.
  - E Said R. Eleazar, "Rabban Yohanan b. Zakkai made that rule only in the case of Yabneh alone."
  - F They said to him, "All the same are Yabneh and every locale in which there is a court."
- **4:2** A And in this regard also was Jerusalem ahead of Yabneh:
  - B in every town which is within sight and sound [of Jerusalem], and nearby and able to come up to Jerusalem, they sound the *shofar*
  - C But as to Yabneh, they sound the *shofar* only in the court alone.
- **4:3** A In olden times the *lulab* was taken up in the Temple for seven days, and in the provinces, for one day.
  - B When the Temple was destroyed, Rabban Yohanan ben Zakkai made the rule that in the provinces the *lulab* should be taken up for seven days, as a memorial to the Temple;

- C and that the day [the sixteenth of Nisan] on which the *omer* is waved should be wholly prohibited [in regard to the eating of new produce] [M. Suk. 3:12].
- **4:4** A At first they would receive testimony about the new moon all day long.
  - B One time the witnesses came late, and the Levites consequently were mixed up as to [what] song [they should sing].
  - C They made the rule that they should receive testimony [about the new moon] only up to the afternoon offering.
  - D Then, if witnesses came after the afternoon offering, they would treat that entire day as holy, and the next day as holy too.
  - E When the Temple was destroyed, Rabban Yohanan b. Zakkai made the rule that they should [once more] receive testimony about the new moon all day long.
  - F Said R. Joshua b. Qorha, "This rule too did Rabban Yohanan b. Zakkai make:
  - G "Even if the head of the court is located somewhere else, the witnesses should come only to the location of the council [to give testimony, and not to the location of the head of the court]."
- **4:5** A The order of the blessings [of the New Year additional prayer is as follows]:
  - B "One says the Fathers, Powers, the Sanctification of the Name, including the Sovereignty verses with them, and does not sound the *shofar*;
  - C "[then] the sanctification of the day, and one [now] sounds the *shofar, the* Remembrance verses, and one sounds the *shofar*, the *Shofar* verses, and one sounds the *shofar*;
  - D "then one says the blessing of the sacrificial service, the thanksgiving, and the priestly blessing," the words of R. Yohanan b. Nuri.
  - E Said to him R. Aqiba, "If he does not sound the *shofar* in connection with the Sovereignty verses, why does he make mention [of them at all]?
  - F "But: one says the Fathers, the Powers, the Sanctification of the Name, and includes the Sovereignty verses with the sanctification of the day, and then sounds the *shofar*;
  - G "the Remembrance verses and sounds the *shofar*; the *Shofar* verses and sounds the *shofar*,
  - H "then the blessing of the sacrificial service, the thanksgiving, and the priestly blessing."
- **4:6** A They do not say less than ten Sovereignty verses, ten Remembrance verses, ten *Shofar* verses.
  - B R. Yohanan b. Nuri says, "If one has said three of each set, he has fulfilled his obligation."
  - C They do not make mention of verses of Remembrance, Sovereignty, or *Shofar*, which speak of punishment.
  - D One begins with verses deriving from the Pentateuch and completes the matter with verses deriving from prophetic writings.
  - E R. Yose says, "If one completed the matter with verses deriving from the Pentateuch, he has fulfilled his obligation."
- **4:7** A He who goes before the ark on the festival day of the New Year—
  - B the second [who leads the additional prayer] orders the blowing of the *shofar* 
    - C And at the time of saying the Hallel, the first one [who says the morning service] proclaims the Hallel psalms.

#### **4:8** A [On account of making provision for] the *shofar* to be used at the New Year:

B (1) they do not cross the Sabbath boundary.

- C (2) And they do not dig up debris which has fallen on it.
- D (3) And they do not climb a tree [to get it].
- E (4) And they do not ride on a beast,
- F (5) and they do not swim a stream.
- G And they do not cut it either in a way which transgresses the rules of the Sabbath rest or in a way that transgresses a negative commandment of the Torah.
- H But if one wanted to put water or wine in it, he may do so.
- I They do not keep children from sounding the *shofar*.
- J But they work with them until they learn how to do it.
- K And the one who is working with them has not fulfilled his obligation [to sound the *shofar*, by doing so].
- L And the one who hears the *shofar* sounded by the person who is working with children also has not fulfilled his obligation.
- **4:9** A The proper way of blowing the *shofar* is to sound three sets of three each.
  - B The length of the sustained blast is three times the length of the quavering blast.
  - C The length of the quavering blast is three times the length of an alarm blast.
  - D [If] one sounded the first sustained blast and then sounded the second sustained blast for twice as long, he has credit only for one.
  - E He who said a blessing and afterward was appointed [to sound] the *shofar*,
  - F should sound a sustained note, a quavering note, and a sustained note, three times.
  - G Just as the congregation's agent is liable, so each individual is liable.
  - H Rabban Gamaliel says, "The agent of the community carries out the obligation on behalf of the community [so in the present instance the individuals do not have to sound the *shofar* as well]."

### TAANIT

- **1:1** A When do they include the mention of *the powers of rain* [in the Prayer]?
  - B R. Eliezer says, "On the first day of the Festival [of Tabernacles]."
  - C R. Joshua says, "On the last day of the festival."
  - D Said to him R. Joshua, "Since rain is only a sign of a curse when it comes on the festival itself, why should one mention it?"
  - E Said to him R. Eliezer, "I too have said so not for the purpose of asking [for rain] but only of mentioning 'restoring the wind and bringing down the rain,' [that is,] in its due season."
  - F He said to him, "If so, one should always make mention of it."
- **1:2** A They ask for rain only near [the time of] rain.
  - B R. Judah says, "He who passes before the ark on the last day of the Festival—
  - C "the latter person [at the Additional Service] makes mention [of rain], the former one [at the Morning Service] does not make mention [of rain].
  - D "On the first day of Passover, the former person makes mention of rain, the latter person does not make mention of rain."
  - E Up to what time do they ask for rain?
  - F R. Judah says, "Until Passover is passed."
  - G R. Meir says, "Until the end of Nisan,

	Η	"since it says, And he causes to come down for you the rain, the former rain and the latter rain in the first [month] (Joel 2:23)."		
1:3	Ι	A B	On the third of Marheshvan they pray for rain. Rabban Gamaliel says, "On the seventh day of that month, the fifteenth day after the festival,	
		С	"so that the last Israelite [returning home] may reach the Euphrates river."	
1:4	II	А	[If] the seventeenth day of Marheshvan came and rain did not fall, individuals began to fast a sequence of three fasts [Monday, Thursday, Monday].	
		В	They eat and drink once it gets dark.	
		С	And they are permitted to work, bathe, anoint, put on a sandal, and have sexual relations.	
1:5	III	А	[Once] the new moon of Kislev has come and rain has not fallen, the court decrees a sequence of three fasts for the whole community.	
		В	They eat and drink once it gets dark.	
		C	And they are permitted to work, bathe, anoint, put on a sandal, and have sexual relations.	
1:6	IV	А	Once these [fasts] have gone by and they have not been answered, the court decrees a sequence of three more fasts for the community.	
		В	They eat and drink [only] while it is still day [on the day prior to the fast].	
		С	And they are forbidden [on the fast] to work, bathe, anoint, put on a sandal, and have sexual relations.	
		D	And they lock the bathhouses.	
	V	E	[If] these [further fasts] have passed and they have not been answered, the court decrees a sequence of seven more fasts for them,	
		F	which then add up to thirteen fasts for the community.	
		G	Lo, these [further fasts] are still more stringent than the first ones,	
		Н	for on these they sound the <i>shofar</i> , and they lock up the stores.	
		Ι	On Mondays they partially open [the stores] after dark.	
		J	And on Thursdays they are permitted [to open them all day long] because of the honor owing to the Sabbath.	
1:7	VI	A	[If] these too have passed and they have not been answered, they cut down on commerce, building, planting, the making of betrothals and marriages, and on greeting one another,	
		В	like people subject to divine displeasure.	
		C D	Individuals go back and fast until the end of Nisan.	
		D	[Once] Nisan has ended, [if] it then rains, it is a sign of a curse,	
		E	since it says, Is it not wheat harvest today? I will call unto the Lord, that he send thunder and rain, and you shall know and see that great is your wickedness which you have done in the sight of God to ask a king for yourself (I Sam. 12:17).	
2:1	А	The manner of fasting: how [was it done]?		

B They bring forth the ark into the street of the town and put wood ashes on (1) the ark, (2) the head of the patriarch, and (3) the head of the court.

- C And each person puts ashes on his head.
- D The eldest among them makes a speech of admonition: "Our brothers, concerning the people of Nineveh it is not said, 'And God saw their sackcloth and their fasting,' but, And God saw their deeds, for they repented from their evil way (Jonah 3:10).
- E "And in prophetic tradition it is said, *Rend your heart and not your garments* (Joel 2:13)."
- **2:2** A They arise for prayer.
  - B They bring down before the ark an experienced elder, who has children, and whose cupboard [house] is empty, so that his heart should be wholly in the prayer.
  - C And he says before them twenty-four blessings:
  - D the eighteen said every day, and he adds six more to them.
- **2:3** A And these are they:
  - B (1) Remembrance verses, (2) *Shofar* verses,
  - C (3) In my distress I cried to the Lord and he answered me (Ps. 120),
  - D (4) and, *I will lift up my eyes to the hills* ... (Ps. 121),
  - E (5) and, Out of the depths I have cried to you, O Lord (Ps. 130),
  - F (6) and, A prayer of the afflicted when he is overwhelmed (Ps. 102).
  - G R. Judah says, "He did not have to say Remembrance verses and *Shofar* verses.
  - H "But in their stead he says, (1) *If there be in the land famine, if there be pestilence* (I Kings 8:37ff.).
  - I "And, (2) *The word of the Lord which came to Jeremiah concerning the drought* (Jer. 14:1ff.).
  - J "And he concludes each of them with its appropriate ending."
- **2:4** A (1) For the first [ending] he says, "He who answered Abraham on Mount Moriah will answer you and hear the sound of your cry this day. Blessed are you, O Lord, redeemer of Israel."
  - B (2) For the second he says, "He who answered our fathers at the Red Sea will answer you and hear the sound of your cry this day. Blessed are you, O Lord, who remembers forgotten things."
  - C (3) For the third he says, "He who answered Joshua at Gilgal will answer you and hear the sound of your cry this day. Blessed are you, O Lord, who hears the sound of the *shofar*."
  - D (4) For the fourth he says, "He who answered Samuel at Mispeh will answer you and hear the sound of your cry this day. Blessed are you, O Lord, who hears a cry."
  - E (5) For the fifth he says, "He who answered Elijah at Mount Carmel will answer you and hear the sound of your cry this day. Blessed are you, O Lord, who hears prayer."
  - F (6) For the sixth he says, "He who answered Jonah in the belly of the fish will answer you and hear the sound of your cry this day. Blessed are you, O Lord, who answers prayer in a time of trouble."
  - G For the seventh he says, "He who answered David and Solomon, his son, in Jerusalem, will answer you and hear the sound of your cry this day. Blessed are you, O Lord, who has mercy on the Land."
- **2:5** A M'SH B: In the time of R. Halapta and R. Hananiah b. Teradion someone passed before the ark and completed the entire blessing, and they did not answer after him "Amen."
  - B "Sound the sustained sound on the *shofar*, O priests! Sound the sustained sound on the *shofar*!

- C "He who answered Abraham our father at Mount Moriah will answer you and hear the sound of your cry this day.
- D "Sound the quavering sound on the *shofar*, sons of Aaron! Sound the quavering sound on the *shofar*!"
- E "He who answered our fathers at the Red Sea will answer you and hear the sound of your cry this day."
- F And when the matter came before sages, they ruled, "We practiced that custom only at the Eastern Gate and on the Temple Mount."
- **2:6** A "On the first three fast days the members of the priestly watch [on duty that week] fast but do not complete the entire day [in fasting], and the members of the father's house [on duty that particular day] did not fast at all.
  - B "On the second set of three fast days the members of the priestly watch fast and complete the day in fasting, and the members of the father's house [on duty that day] fast but do not complete the day in fasting.
  - C "On the seven last fast days, these and those fast and complete the fast day," the words of R. Joshua.
  - D And sages say, "On the first three fast days these and those did not fast at all.
  - E "On the second set of three fast days the members of the priestly watch fast but do not complete the day in fasting, and the members of the father's house [on duty that day] did not fast at all.
  - F "On the last seven fast days, the members of the priestly watch fast and complete the fast days, and the members of the father's house fast and do not complete the fast day."
  - G The members of the priestly watch are permitted to drink wine by night but not by day,
- **2:7** A and the members of the father's house [are] not [permitted to drink wine] either by day or by night.
  - B Members of the priestly watch and members of the public delegation [presence] (M'MD) are prohibited to get a haircut and to wash their clothes.
  - C But on Thursday they are permitted to do so,
  - D because of the honor owing to the Sabbath.
- **2:8** A As to any [day concerning which] in the Fasting Scroll it is written [in Aramaic:] *not to mourn*
  - B on the day before, it is prohibited to mourn.
  - C On the day after, it is permitted to mourn.
  - D R. Yose says, "On the day before it and also on the day after, it is prohibited to mourn."
  - E [On those days concerning which in the Fasting Scroll it is written] not to fast,
  - F on the day before and on the day after, it is permitted to fast.
  - G R. Yose says, "On the day before it is prohibited, on the day after, it is permitted."
- **2:9** A They do not decree a fast for the community in the first instance for a Thursday,
  - B so as not to disturb market prices.
  - C But the first three fasts are on Monday, Thursday, and Monday.
  - D And the second set of three fast days are on Thursday, Monday, and Thursday.
  - E R. Yose says, "Just as the first ones do not begin on a Thursday, so also the second set and the final set [do not begin on a Thursday]."

- **2:10** A They do not decree a fast for the community to take place on the new moon, Hanukkah, or Purim.
  - B "But if they had begun [a sequence of fasts], they do not break off," the words of Rabban Gamaliel.
  - C Said R. Meir, "Even though Rabban Gamaliel said that they do not break off, he would concede that they also do not complete [fasting for the whole day]."
  - D And so is the rule for the Ninth of Ab which coincides with a Friday.
- **3:1** A The conduct of these fast days which have been described [M. 1:4–6] applies in the case of the first rainfall.
  - I B But: Crops which exhibit a change [from their normal character]—
    - C they sound the *shofar* on their account forthwith.
  - II D And so: [if] the rain ceased between one rainstorm and the next for a period of forty days,
    - E they sound the *shofar* on that account forthwith.
    - F for it represents the blow of famine.
- **3:2** III A [If] the rain fell sufficient for crops but not for trees,
  - B for trees but not for crops,
  - C for this and that, but not for [filling up] cisterns, pits, or caverns,
  - D they sound the *shofar* on their account forthwith.
- **3:3** A And so too: A town on which rain did not fall,
  - B as it is said, And I caused it to rain upon one city and caused it not to rain upon another city, one piece was rained upon and the piece on which it rained not did wither (Amos 4:7—)
    - C that town declares a fast day and sounds the *shofar*
    - D And all its neighbors fast but do not sound the *shofar*
    - E R. Aqiba says, "They sound the *shofar* but do not fast."
- **3:4** A And so too: A town which is afflicted with pestilence or ruination [of houses]—
  - B that town declares a fast day and sounds the *shofar*
  - C And all its neighbors fast but do not sound the *shofar*
  - D R. Aqiba says, "They sound the *shofar* but do not fast."
  - E What is the meaning of *pestilence*?
  - F A town which has a population of five hundred soldiers which produces three corpses in three successive days—lo, this is [a sign of the presence of] pestilence.
  - G [If the death rate] is less than this, it is not [the sign of the presence of pestilence.
- **3:5** A On account of the appearance of these do they sound the *shofar* in every locale:
  - B (1) blasting or (2) mildew, (3) locust or (4) caterpillar (I Kings 8:27), (5) wild beasts, and (6) the sword [Lev. 26:61.
  - C [Everywhere] do they sound the *shofar* on their account, because it is an affliction which spreads.
- **3:6** A *M'SH Š*: Elders went down from Jerusalem to their towns and decreed a fast because in Askelon there had appeared blight to the extent of [the area of] an oven's mouth.
  - B And further: they decreed a fast because wolves had eaten two children in Transjordan.

- C R. Yose says, "Not because they had eaten anyone, but merely because they had made an appearance."
- **3:7** A On account of these do they sound the *shofar* [even] on the Sabbath:
  - B On account of a town which (1) gentiles have besieged or (2) a river,
    - C and (3) because of a ship which is foundering in the sea.
    - D R. Yose says, "[They sound the *shofar* on the Sabbath] for help, not for supplication."
    - E Simeon the Temanite says, "Also on account of pestilence."
    - F But sages did not concur with him.
- **3:8** A On account of every sort of public trouble (may it not happen) do they sound the *shofar*,
  - B except for an excess of rain.
  - C  $M'SH \check{S}$ : They said to Honi, the circle drawer, "Pray for rain."
  - D He said to them, "Go and take in the clay ovens used for Passover, so that they not soften [in the rain which is coming]."
  - E He prayed, but it did not rain.
  - F What did he do?
  - G He drew a circle and stood in the middle of it and said before Him, "Lord of the world! Your children have turned to me, for before you I am like a member of the family. I swear by your great name—I'm simply not moving from here until you take pity on your children!"
  - H It began to rain drop by drop.
  - I He said, "This is not what I wanted, but rain for filling up cisterns, pits, and caverns."
  - J It began to rain violently.
  - K He said, "This is not what I wanted, but rain of good will, blessing, and graciousness."
  - L Now it rained the right way, until Israelites had to flee from Jerusalem up to the Temple Mount because of the rain.
  - M Now they came and said to him, "Just as you prayed for it to rain, now pray for it to go away."
  - N He said to them, "Go, see whether the stone of the strayers is disappeared."
  - O Simeon b. Shatah said to him, "If you were not Honi, I should decree a ban of excommunication against you. But what am I going to do to you? For you importune before the Omnipresent, so he does what you want, like a son who importunes his father, so he does what he wants.
  - P "Concerning you Scripture says, *Let your father and your mother be glad, and let her that bore you rejoice* (Prov. 23:25)."
- **3:9** A [If] they were fasting, and it rained for them before sunrise, they should not complete the fast.
  - B [If it rained] after sunrise, they should complete the day in fasting.
  - C R. Eliezer says, "[If it rained] before noon, they should not complete the day in fasting. [If it rained] after noon, they should complete the day in fasting."
  - D *M'SH Š*: They decreed a fast in Lud. It rained before noon. R. Tarfon said to them, "Go, eat, and drink and celebrate a festival day." So they went and ate and drank and celebrated a festival day. Then they assembled at twilight and proclaimed the Great Hallel [Ps. 136].
- **4:1** A On three occasions in the year priests raise up their hands [in the priestly benediction] four times a day:

- B (1) at the dawn prayer, (2) the additional prayer, (3) the afternoon prayer, and (4) the closing of the gates:
- C on the occasion of fasts, on the occasions of [prayers of members of the] delegation [*maamad*], and on the Day of Atonement.
- **4:2** A Now what is the delegation [*maamad*]?
  - B Since it is said, *Command the children of Israel and say to them, My obligation, my food* [for my offerings made of fire, of a sweet savor to me, shall you observe to offer me in their *due season*] (Num. 28:2)—
  - C now how can a person's offering be made, while he is not standing by its side?
  - D The early prophets made the rule of twenty-four watches, and for each watch there was a delegation [*maamad*] in Jerusalem, made up of priests, Levites, and Israelites.
  - E When the time for a watch came to go up to Jerusalem, its priests and Levites go up with it to Jerusalem.
  - F And Israelites who belong to that watch gather together in their towns and study the story of the works of creation.
- **4:3** A The members of a delegation would fast four days a week, from Monday to Thursday.
  - B But they did not fast on the eve of the Sabbath,
  - C because of the honor owing to the Sabbath,
  - D nor on Sunday, so as not to go forth from resting and enjoyment to travail and fasting, and so perish.
  - E On the first day [they read] from, *In the beginning* to *Let there be a firmament* (Gen. 1:1–8);
  - F on the second day, from *Let there be a firmament* to *Let the waters be gathered together* (Gen. 1:6–13);
  - G on the third day, from *Let the waters be gathered together* to *Let there be lights* (Gen. 1:9–19);
  - H on the fourth day, from *Let there be lights to Let the water bring forth abundantly* (Gen. 1:14–23);
  - I and on the fifth day, from *Let the waters bring forth abundantly* to *Let the earth bring forth* (Gen. 1: 20–3 (1);
  - J and on the sixth day, from *Let the earth bring forth* to *And the heaven and the earth were finished* (Gen. 1:24–31, 2:1–3).
  - K In the case of a long pericope, they read it by two, and in the case of a brief one, by one person.
  - L At the dawn, at the Additional Service and at the Afternoon Service they come together and recite it by heart, just as they recite the *Shema*.
  - M On the eve of the Sabbath at the afternoon prayer they did not come together,
  - O because of the honor owing to the Sabbath.
- **4:4** A "On any day on which the *Hallel* is said, there is no delegation [gathering for the study of the works of creation] at dawn;
  - B "[if there is] an additional offering, there is no delegation at the closing of the gates;
  - C "[if there is] an offering of wood, there is no delegation at the Afternoon Service," the words of R. Aqiba.
  - D Said to him Ben Azzai, "This was the way in which R. Joshua repeated the rule:
  - E "[If there is] an additional offering, there is no [delegation at] the afternoon prayer;
  - F "'[if there is] a wood offering, there is no [delegation at] the closing of the gates.' "

- G R. Aqiba reverted and repeated the tradition in the formulation of Ben Azzai.
- **4:5** A The time of the wood offering of priests and people [comes on] nine [occasions in the year]:
  - B (1) on the first of Nisan [is the offering of] the family of Arah b. Judah [Ezra 2:5, Neh. 2:10];
  - C (2) on the twentieth of Tammuz [is the offering of] the family of David b. Judah;
  - D (3) on the fifth of Ab [is the offering of] the family of Parosh b. Judah [Ezra 2:3, Neh. 2:81;
  - E (4) on the seventh of that month [is the offering of] the family of Yonadab b. Rekhab [Jer. 35:1ff.];
  - F (5) on the tenth of that month [is the offering of] the family of Senaah b. Benjamin [Ezra 2:35, Neh. 7:38];
  - G (6) on the fifteenth of that month [is the offering of] the family of Zattu b. Judah [Ezra 2:8, Neb. 7:13];
  - H and with them [comes the offering of] priests, Levites, and whoever is in error as to his tribe, and the families of Gonbe Eli, the pestle smugglers, and fig pressers.
  - I (7) On the twentieth of that same month [is the offering of] the family of Pahat Moab b. Judah [Ezra 2:6, Neh. 7:11];
  - J (8) on the twentieth of Elul [is the offering of] the family of Adin b. Judah [Ezra 2:15, Neh. 7:20].
  - K (9) On the first of Tebet the family of Parosh returned a second time [with another wood offering].
  - L On the first of Tebet [Hanukkah] there was no delegation,
  - M for there was *Hallel* on that day, as well as an additional offering and a wood offering.
- **4:6** A Five events took place for our fathers on the seventeenth of Tammuz, and five on the ninth of Ab.
  - B On the seventeenth of Tammuz (1) the tablets [of the Torah] were broken, (2) the daily whole offering was cancelled, (3) the city wall was breached, (4) Apostemos burned the Torah, and (5) he set up an idol in the Temple.
  - C On the ninth of Ab (1) the decree was made against our forefathers that they should not enter the land, (2) the first Temple and (3) the second [Temple] were destroyed, (4) Betar was taken, and (5) the city was ploughed up [after the war of Hadrian].
  - D When Ab comes, rejoicing diminishes.
- **4:7** A In the week in which the ninth of Ab occurs it is prohibited to get a haircut and to wash one's clothes.
  - B But on Thursday of that week these are permitted,
  - C because of the honor owing to the Sabbath.
  - D On the eve of the ninth of Ab a person should not eat two prepared dishes, nor should one eat meat or drink wine.
  - E Rabban Simeon b. Gamaliel says, "He should make some change from ordinary procedures."
  - F R. Judah declares people liable to turn over beds.
  - G But sages did not concur with him.

- **4:8** A Said Rabban Simeon b. Gamaliel, "There were no days better for Israelites than the fifteenth of Ab and the Day of Atonement."
  - B For on these days Jerusalemite girls go out in borrowed white dresses— so as not to shame those who owned none.
  - C All the dresses had to be immersed.
  - D And the Jerusalemite girls go out and dance in the vineyards.
  - E What did they say?
  - F "Fellow, look around and see—choose what you want!
  - G "Don't look for beauty, look for family:
  - H "Charm is deceitful and beauty is vain, but a woman who fears the Lord will be praised (Prov. 31:30)."
  - I And it says, *Give her of the fruit of her hands and let her works praise her in the gates* (Prov. 31:31).
  - J And so it says, Go forth, you daughters of Zion, and behold King Solomon with the crown with which his mother crowned him in the day of his espousals and in the day of the gladness of his heart (Song of Songs, 3:11).
  - K The day of his espousals—this refers to the day on which the Torah was given.
  - L The day of the gladness of his heart—this refers to the building of the Temple—
  - M may it be rebuilt quickly, in our days, Amen."

### MEGILLAH

- **1:1** A The Scroll [of Esther] is read on the eleventh, twelfth, thirteenth, fourteenth, [or] fifteenth [of Adar],
  - B no earlier, no later.
  - C Cities surrounded by a wall from the time of Joshua bin Nun read [the Scroll of Esther] on the fifteenth.
  - D Villages and large towns read it on the fourteenth.
  - E But villages push it up [a day early] to a day of assembly [a Monday or a Thursday].
- **1:2** A How so?
  - I B [If] the fourteenth coincided with a Monday, both villages and large towns read it on that day.
    - C And those surrounded by a wall read it the next day [the fifteenth].
  - II D [If the fourteenth of Adar] coincided with a Tuesday or a Wednesday, villages push it up to a day of assembly [Monday, the thirteenth or the twelfth].
    - E But large towns read it on that very day [the fourteenth].
    - F And those surrounded by a wall read it the next day [the fifteenth].
  - III G [If] the fourteenth of Adar] coincided with a Thursday, villages and large towns read it on that same day.
    - H And those surrounded by a wall read it the next day [the fifteenth].
  - IV I [If] it coincided with a Friday, villages push it up to a day of assembly [the thirteenth].
    - J And large towns and those surrounded by a wall read it on that same day [the fourteenth].
  - V K [If the fourteenth of Adar] coincided with a Sabbath, villages and large towns push it up and read it on a day of assembly [the twelfth].

- L And those surrounded by a wall read it the next day [the fifteenth].
- VI M [If the fourteenth of Adar] coincided with the day after the Sabbath [Sunday],
  - N villages push it up to a day of assembly [the eleventh of Adar].
  - O And large towns read it on that day [the fourteenth].
  - P And those surrounded by a wall read it the next day [Monday, the fifteenth].
- **1:3** A What is a large town?
  - B Any in which there are ten men available at all times [to form a quorum].
  - C [If there are] fewer than this number, lo, this is a village.
  - D Of these [times, as specified] have they said that they push it up and do not postpone it.
  - E But the time of the priests' wood offering, the ninth of Ab, the festal offering, [Dt. 16:16–17], and the great assembling [Dt. 31:10–13] do they postpone but not push up.
  - F Even though they have said, they push it up and they do not postpone [the reading of the Scroll of Esther],
  - G [on the days on which they read the Scroll of Esther] they are permitted to hold a lamentation for the dead, to call fasts and to give gifts to the poor.
  - H Said R. Judah, "Under what circumstances? In a place in which people gather on Mondays and Thursdays.
  - I "But in a place in which people do not gather on Mondays and on Thursdays, they read it only at its proper time."
- **1:4** A [If] they read the Scroll in the first Adar, and then the year was intercalated, they read it [again] in the second Adar.
  - I B There is no difference between [the fourteenth or fifteenth of] the first Adar and [the same dates in] the second Adar except for the reading of the Scroll and giving gifts to the poor [which must be done in the second Adar, not in the first Adar, but in both Adars on the fourteenth or fifteenth, lamentations and fasts are prohibited].
- **1:5** II A There is no difference between a festival day and the Sabbath day except for preparing food alone [M. Bes. 5:2].
  - III B There is no difference between the Sabbath and the Day of Atonement except that deliberately violating this one is punishable at the hands of an earthly court, while deliberately violating that one is punishable through extirpation.
- **1:6** IV A There is no difference between one who is prohibited by vow from deriving [general] benefit from his fellow, and one who is prohibited by vow from deriving food from his fellow, except for setting foot in his house and using utensils of his which are not for preparing food [permitted in the former case].
  - V B There is no difference between vows and freewill offerings, except that for animals designated in fulfillment of vows one is responsible, while for animals set aside in fulfillment of freewill offerings one is not responsible [should the animal be lost].
- 1:7 VI A There is no difference between a Zab who suffers two appearances of flux and one who suffers three except for the requirement of an offering [for the latter].
   VII B There is no difference between a *mesora* who is shut up and one who has been
  - certified except for the requirement to mess up the hair and tear the clothing.

- VIII C There is no difference between [a *mesora*] declared clean having been shut up and one declared clean having been certified [unclean] except for the requirement of shaving and of bringing a bird offering.
- **1:8** IX A There is no difference between sacred scrolls and phylacteries and *mezuzot* except that sacred scrolls may be written in any alphabet ["language"], while phylacteries and *mezuzot* are written only in square ["Assyrian"] letters.
  - B Rabban Simeon b. Gamaliel says, "Also: in the case of sacred scrolls: they have been permitted to be written only in Greek."
- **1:9** X A There is no difference between a priest who is anointed with anointing oil and one who wears many garments except in the bullock which is offered for unwitting transgression of any of the commandments [required only of the former].
  - XI B There is no difference between a [high] priest presently in service and [high] priest [who served] in times past except for the bullock which is offered on the Day of Atonement and the tenth of the *ephah* [cf. M. Hor. 3:4].
- **1:10** XII A There is no difference between a major high place and a minor high place except for Passover offerings.
  - B This is the governing principle: Whatever is offered in fulfillment of a vow or as a freewill offering may be offered on a high place.
  - C And whatever is not offered in fulfillment of a vow or as a freewill offering may not be offered on a high place.
- **1:11** A There is no difference between Shilo and Jerusalem except that in Shilo they eat Lesser Holy Things and second tithe in any place within sight [of the place], while in Jerusalem [they eat the same things only] within the wall.
  - B And in both places Most Holy Things are eaten [only] within the area encompassed by the veils.
  - C [After] the sanctification of Shilo it was permitted (to set up high places elsewhere], but after the sanctification of Jerusalem it was not permitted [to set up high places elsewhere] [M. Zeb. 14:4–8].
- **2:1** A He who reads the Scroll backwards has not fulfilled his obligation.
  - B [If] he read it by heart,
  - C [if] he read it in Aramaic translation or in any [other] language,
  - D he has not fulfilled his obligation.
  - E But they do read it to those who speak a foreign language in a foreign language.
  - F Still, one who speaks a foreign language who heard it in Assyrian [Hebrew], has fulfilled his obligation.
- **2:2** A [If] one read it piecemeal,
  - B or drowsily,
  - C he has carried out his obligation.
  - D [If] one was writing it, explaining it, or correcting it, if he paid attention [that in doing so, he would carry out his obligation to hear the Scroll], he has fulfilled his obligation.
  - E And if not, he has not fulfilled his obligation.
  - F [If] it was written in caustic, red dye, gum, or copperas,

- G or on paper or unprepared leather,
- H he has not fulfilled his obligation—
- I unless it is written in square ["Assyrian"] letters, on parchment, and with ink.
- **2:3** A A townsman who went to a city, or a city dweller who went to a town,
  - B if he is going to return to his place, reads in accord with the rite in his own place.
  - C But if he is not going to return home, he reads with them [among whom he lives].
  - D From what point does a person read the Scroll and thereby carry out his obligation?
  - E R. Meir says, "The whole thing."
  - F R. Judah says, "From, *There was a certain Jew* (Est. 2:5)."
  - G R. Yose says, "From, After these things (Est. 3:1)."
- **2:4** A All are valid to read the Scroll, except for a deaf-mute, an idiot, and a minor.
  - B R. Judah declares valid in the case of a minor.
  - C They do not (1) read the Scroll, (2) perform a rite of circumcision, (3) immerse, (4) sprinkle purification water,
  - D and so too, (5) a woman awaiting day against day should not immerse,
  - E until sunrise.
  - F But in any case in which one did so after the morning star has risen, it is valid.
- **2:5** II A The entire day is valid for (1) the reading of the Scroll, (2) the recitation of the *Hallel*, (3) the sounding of the *shofar*, (4) the waving of the *lulab*, (5) the saying of the additional prayer, (6) offering the additional offerings,
  - B (7) confession at the offering of the bullocks, (8) the confession concerning tithe,
     (9) the confession on the Day of Atonement,
  - C (10) for the laying on of hands, (11) slaughtering, (12) waving, (13) bringing near [a sacrificial animal], (14) taking the handful, (15) offering it up, (16) breaking the neck [of a bird-offering], (17) receiving the blood, (18) sprinkling the blood, (19) making an accused wife drink the bitter water, (20) breaking the neck of a heifer, and (21) purifying a *mesora*.
- **2:6** III A The entire night is valid for (1) cutting the wheat for the *omer*, and for offering up (2) the fats and (3) the sacrificial parts.
  - B This is the governing principle: Any act whose religious requirement applies by day is valid when done at any time of the day, and a matter whose religious requirement applies by night is valid when done at any time of the night.
- **3:1** A Townsfolk who sold (1) a street of a town buy with its proceeds a synagogue.
  - B [If they sold] (2) a synagogue, they buy an ark.
  - C [If they sold] (3) an ark, they buy wrappings.
  - D [If they sold] (4) wrappings, they buy scrolls [of the prophets or writings].
  - E [If they sold] (5) scrolls, they buy a Torah scroll.
  - F But if they sold (5) a Torah scroll, they should not buy scrolls.
  - G [If they sold] (4) scrolls, they should not buy wrappings.
  - H [If they sold] (3) wrappings, they should not buy an ark.
  - I [If they sold] (2) an ark, they should not buy a synagogue.
  - J [If they sold] (1) a synagogue, they should not buy a street.
  - K And so with the surplus [of the proceeds of any of] these.

- L "They do not sell that which belongs to the public to a private person,
- M "because they thereby diminish its level of sanctity," the words of R. Judah.
- N They said to him, "If so, [they should] not [sell] from a large town to a small one."
- **3:2** A "They sell a synagogue only with the stipulation that if they want, they may take it back," the words of R. Meir.
  - B And sages say, "They sell it for all time,
  - C "except for [use for] four purposes: a bathhouse, a tannery, an immersion pool, or a urinal."
  - D R. Judah says, "They sell it for a courtyard, and as to the purchaser—whatever he wants, he does with it."
- **3:3** A And further did R. Judah state, "A synagogue which was destroyed—they do not (1) carry out a lamentation for the dead in it.
  - B "And they do not (2) twist ropes in it,
  - C "and they do not (3) spread out nets [to dry] in it,
  - D "and they do not (4) spread out produce on its roof,
  - E "and they do not (5) make it into a public shortcut.
  - F "For it is written, *I will bring your sanctuaries to desolation* (Lev. 26:31)—
  - G "they remain sanctified even when they are desolated.
  - H "If grass grew up in it, one should not cut it, because of grief."
- **3:4** A On the new moon of Adar which coincided with the Sabbath—
  - B they read the pericope of *Sheqels* [Ex. 30:11–16].
    - C [If] it came during the week, they push it up to [the Sabbath] which comes before, and on the next Sabbath suspend [reading the four pericopae of Adar].
    - D On the second Sabbath [they read], "*Remember*" [Dt. 25:17–19].
    - E On the third [they read] the pericope of the Red Cow [Num. 19:1ff.].
    - F On the fourth they read, *This month shall be unto you* [Ex. 12:1–20].
    - G On the fifth they go back to the set order.
    - H At all times they suspend [interrupt the set order of the reading of the Torah]: for new moons, Hanukkah, Purim, fasts, set delegations [*maamads*], *and* for the Day of Atonement.
- **3:5** A At Passover they read the section, *The set feasts* [Lev. 23:4ff.], in the Torah of the Priests [= Leviticus].
  - B At Pentecost, they read, *Seven weeks* [Dt. 16:9ff.].
  - C At the New Year they read, *In the seventh month, on the first day of the month* [Lev. 23:23ff.].
  - D On the Day of Atonement they read, *After the death* [Lev. 16:lff.].
  - E On the first festival day of the Festival [of Tabernacles] they read the section, *The set feasts* [Lev. 23:33ff.], in the Torah of the Priests.
  - F And on the other days of the Festival they read about the offerings of the Festival [Num. 29:17ff.].
- **3:6** A At Hanukkah [they read] *The princes* [Num. 7:1ff.
  - B At Purim [they read] And Amalek came [Ex. 17:8ff.].
  - C On the new moons they read, And on the first days of your months [Num. 28:11].
  - D At the set *maamad* they read the works of Creation [Gen. 1:1ff.].

- E At fasts they read the blessings and curses [Lev. 26, Dt. 28].
- F They do not break off in the reading of the curses, but one person reads all of them.
- G On Monday and Thursday and the Sabbath at the afternoon prayer they read according to the set order.
- H And these are not taken into account [in the reading of the regular Sabbaths],
- I since it says, And Moses declared to the children of Israel the set feasts of the Lord (Lev. 23:44).
- J Their religious requirement is that they should be read, each one in its time.
- **4:1** A He who reads the Scroll stands or sits.
  - B [If] one reads it, [or if] two read it [together], they have fulfilled their obligation.
  - C In a place in which they are accustomed to say a blessing, one says a blessing.
  - D [In a place in which they are accustomed] not to say a blessing, one does not say a blessing.
  - I E On Monday, Thursday, and the Sabbath at the afternoon service, three read [in the Torah].
    - F They do not assign fewer and they do not assign more to their number.
    - G And [on those days and occasions] they do not conclude with a prophetic lection.
    - H He who begins the reading of the Torah and he who completes the reading of the Torah says a blessing before and afterward.
- **4:2** II A On new moons and on the intermediate days of festivals four read [in the Torah].
  - B They do not assign fewer, and they do not assign more, to their number.
  - C And they do not conclude with a prophetic lection.
  - D He who begins the reading of the Torah and he who completes the reading of the Torah says a blessing before and afterward.
  - E This is the governing principle:
  - F On any day on which there is an additional offering, and which is not a festival day, four read.
  - G On a festival, five [read].
  - H On the Day of Atonement, six [read].
  - III I On the Sabbath, seven [read].
    - J [On that day] they do not assign fewer, but they do assign more, to their number.
    - K And they do conclude with a reading of a prophetic lection.
    - L And he who begins the reading of the Torah and he who completes the reading of the Torah says a blessing before and afterward.
- **4:3** A (1) They do not recite the *Shema* [with the blessings before and after),
  - B (2) they do not pass before the ark,
  - C (3) [the priests] do not raise up their hands,
  - D (4) they do not read in the Torah,
  - E (5) they do not conclude with a prophetic lection,
  - F (6) they do not observe the stations [when burying the dead], (7) bless mourners, (8) express consolation to mourners,
  - G (9) [or give] a blessing of a wedding couple,
  - H and (10) they do not invoke the name of God in the Grace,
  - I [when there are] less than ten.
  - J And in the case of [assessing the redemption value of dedicated] immovable property, [the assessment is made by] nine and a priest.

- K And in the case of [the Valuation vow] of man, the law is the same.
- **4:4** A He who reads in the Torah should read no fewer than three verses.
  - B He may not read to the translator more than a single verse [at a time, so the translator will not err],
    - C and, in the case of the prophetic lection, three.
    - D [If] the three constitute three distinct pericopae, they read them one by one.
  - E They skip [from place to place] in the prophetic lections but not in the Torah lections.
  - F And how far may one skip?
  - G [Only] so much that the translator will not have stopped [during the rolling of the scroll].
- **4:5** I A He who concludes with the prophetic lection is the one who recites the *Shema* [with its blessings fore and aft],
  - B and passes before the ark,
  - C and raises his hands [in the priestly benediction].
  - D But if he was a minor, his father or his teacher pass [before the ark] in his behalf.
- **4:6** II A A minor reads in the Torah and translates.
  - B But he does not recite the *Shema*, pass before the ark, or raise his hands [in the priestly benediction].
  - III C He who is wearing ragged clothing recites the *Shema* and translates, but he does not read in the Torah, pass before the ark, or raise his hands.
    - D A blind man recites the *Shema* and translates.
    - E R. Judah says, "Whoever in his entire life has never seen light does not recite the *Shema*."
- **4:7** A A priest who has blemishes on his hands should not raise his hands in the priestly benediction.
  - B R. Judah says, "Also, he whose hands are dyed with woad or madder should not raise his hands,
  - C "because the people stare at him."
- **4:8** A He who says, "I am not going to pass before the ark wearing colored clothes" also in white ones should not pass before the ark.
  - B "In a sandal I am not going to pass before the ark,"— also wearing shoes he should not pass before the ark.
  - C He who makes his phylactery round—it is a source of danger and [still] does not fulfill a religious requirement.
  - I D [If] he put it on his forehead or on the palm of his hand, this is the way of heresy.
  - II E [If] one covered them with gold or put it on his sleeve, this is the way of outsiders.
- **4:9** III A He who says, "May the good folk bless you," lo, this is the way of heresy.
  - I B [He who says] "Even to a bird's nest do your mercies extend"
    - C "May your name be remembered for good"—
    - D "We give thanks, we give thanks"—they silence him.
  - II E He who uses euphemisms in the pericope of the prohibited relationships [Lev. 18]—they silence him.

- III F He who says, "'And you shall not give any of your seed to make them pass through *fire to Molech*' means, 'And you shall not give of your seed to make it pass to heathendom'" they silence him with a rebuke.
- **4:10** A The tale of Reuben [Gen. 35:22] is read but not translated.
  - B The tale of Tamar [Gen. 38:1ff.] is read and translated.
  - C The first tale of the calf [Ex. 32:1–20] is read and translated.
  - D The second one [Ex. 32:21ff.] is read but not translated.
  - E The blessing of the priests [Num. 6:24–26], the story of David [II Sam. 11:2ff.] and of Amnon [II Sam. 13:1ff.], are not read and not translated.
  - F They do not use as the prophetic lection the selection of the chariot [Ezek. 1:1ff.].
  - G R. Judah permits.
  - H R. Eliezer says, "They do not use as the prophetic lection, *Cause Jerusalem to know* (Ezek. 16:1ff.)."

# MOED QATAN

- **1:1** A They water an irrigated field on the intermediate days of a festival and in the Seventh Year,
  - B whether from a spring which first flows at that time, or from a spring which does not first flow at that time.
  - C But they do not water [an irrigated field] with (1) collected rainwater, or (2) water from a swape well.
  - D And they do not dig channels around vines.
- **1:2** A R. Eleazar b. Azariah says, "They do not make a new water channel on the intermediate days of a festival or in the Seventh Year."
  - B And sages say, "They make a new water channel in the Seventh Year, and they repair damaged ones on the intermediate days of a festival."
  - C They repair damaged waterways in the public domain and dig them out.
  - D They repair roads, streets, and water pools.
  - E And they (1) do all public needs, (2) mark off graves, and (3) go forth [to give warning] against *Diverse kinds* [= M. Sheq. 1:1].
- **1:3** A R. Eliezer b. Jacob says, "They lead water from one tree to another,
  - B "on condition that one not water the entire field.
  - C "Seeds which have not been watered before the festival one should not water on the intermediate days of the festival."
  - D And sages permit in this case and in that.
- **1:4** A They hunt moles and mice in a tree-planted field and in a field of grain,
  - B not in the usual manner,
  - C on the intermediate days of a festival and in the Seventh Year.
  - D And sages say [*sic*! B. M.Q. 7a: Judah], "[They do so] in a tree-planted field in the normal manner, and in a grain field not in the normal manner."
  - E They block up a breach in the intermediate days of a festival.
  - F And in the seventh year, one builds it in the normal way.

- **1:5** A R. Meir says, "They examine *negas* [to begin with] to provide a lenient ruling but not to provide a strict ruling."
  - B And sages say, "Neither to provide a lenient ruling nor to provide a strict ruling."
  - C And further did R. Meir say, "A man may go out and gather the bones of his father and his mother,
  - D "because it is a time of rejoicing for him."
  - E R. Yose says, "It is a time of mourning for him."
  - F A person may not call for mourning for his deceased,
  - G or make a lamentation for him thirty days before a festival.
- **1:6** A They do not hew out a tomb niche or tombs on the intermediate days of a festival.
  - B But they refashion tomb niches on the intermediate days of a festival.
  - C They dig a grave on the intermediate days of a festival,
  - D and make a coffin,
  - E while the corpse is in the same courtyard.
  - F R. Judah prohibits, unless there were boards [already sawn and made ready in advance].
- **1:7** A They do not take wives on the intermediate days of a festival,
  - B whether virgins or widows.
  - C Nor do they enter into levirate marriage,
  - D for it is an occasion of rejoicing.
  - E But one may remarry his divorced wife.
  - F And a woman may prepare her wedding adornments on the intermediate days of a festival.
  - G R. Judah says, "She should not use lime, since this makes her ugly."
- **1:8** A An unskilled person sews in the usual way.
  - B But an expert craftsman sews with irregular stitches.
  - C They weave the ropes for beds.
  - D R. Yose says, "They [only] tighten them."
- **1:9** A They set up an oven or double stove or a hand mill on the intermediate days of a festival.
  - B R. Judah says, "They do not rough the millstones for the first time."
- **1:10** A They make a parapet for a roof or a porch in an unskilled manner,
  - B but not in the manner of a skilled craftsman.
    - C They plaster cracks and smooth them down with a roller, by hand, or by foot, but not with a trowel.
    - D A hinge, socket, roof beam, lock, or key, [any of] which broke
    - E do they repair on the intermediate days of the festival,
    - F so long as one had not had the intention to do work on it on the intermediate days of the festival.
    - G And all pickled foods which a man can eat during the intermediate days of a festival he also may pickle.
- **2:1** A He who had turned his olives, and then an occasion for mourning or some accident befell him,
  - B or workers proved unreliable [so that he could not complete the processing prior to the festival],

- C "[during the intermediate days of the festival] applies the pressing beam [to the olives] for the first time, but [then] leaves it until after the festival," the words of R. Judah.
- D R. Yose says, "He squeezes out the oil entirely and seals it in jars in the usual way."
- **2:2** A And so: He who had his wine in the cistern, and then an occasion for mourning or some accident befell him,
  - B or workers proved unreliable,
  - C "empties out the wine completely and seals it in jars in the usual way," the words of R. Yose.
  - D R. Judah says, "He [only] makes a cover for it of shingles, so that it not turn sour."
- **2:3** A A person brings his produce into [the house] on account of thieves.
  - B And he takes his flax out of the soak, so that it not go to waste,
  - C so long as [to begin with] he not plan to do the work on the intermediate days of the festival.
  - D And in all cases in which people have [actually] planned to do their work on the festival, it must be left to perish.
- **2:4** A They buy houses, slaves, and cattle, only for the needs of the festival or for the needs of a seller who has nothing to eat.
  - B They do not move [one's property] from one house to another.
  - C But a man may move his goods out into his courtyard.
  - D They do not bring utensils from the workshop of a craftsman.
  - E But if he is concerned about them, he may move them into a different courtyard.
- **2:5** A They cover up fig cakes [left to dry] with straw.
  - B R. Judah says, "They also pile them up in heaps."
  - C Those who sell produce, clothing, and utensils sell them discretely, for the purposes of the festival.
  - D Hunters, groats-makers, and grist-millers do their work discretely, for the purposes of the festival.
  - E R. Yose says, "They have adopted a strict ruling for themselves."
- **3:1** A These cut their hair on the intermediate days of a festival:
  - B (1) he who comes from overseas or from captivity;
  - C (2) and he who goes forth from prison;
  - D (3) and he whose excommunication has been lifted by sages.
  - E (4) And so too: he who sought absolution from a sage [for release from a vow not to get a haircut] and was released;
  - F and the Nazirite [Num. 6:5] or *mesora* [Lev. 14:8–9] who emerges from his state of uncleanness to his state of cleanness.
- **3:2** A And these may wash their clothes on the intermediate days of a festival:
  - B (1) he who comes from overseas or from captivity;
  - C (2) and he who goes forth from prison;
  - D (3) and he whose excommunication has been lifted by sages.
  - E (4) And so too: he who sought absolution from a sage [for release from a vow not to wash clothes] and was released.

- F (1) Hand towels, (2) barber's towels, and (3) bath towels [may be washed].
- G (1) Male and (2) female *Zabs*, (3) women in their menstrual period, (4) women after childbirth, and all who go up from a state of uncleanness to cleanness,
- H lo, these are permitted [to wash their clothes].
- I But all other people are prohibited.
- **3:3** A And these do they write on the intermediate days of a festival:
  - B (1) writs of betrothal for women, (2) writs of divorce, (3) receipts [for payment of the marriage settlement], (4) testaments, (5) deeds of gift, (6) *prosbols*, (7) deeds of valuation, (8) deeds of alimony, (9) writs of *halisah* and of the exercise of the rite of refusal, (10) deeds of arbitration, (11) court decrees, and (12) official decrees.
- **3:4** A They do not write writs of indebtedness on the intermediate days of a festival.
  - B But if one does not trust him,
  - C or if he had nothing to eat,
  - D lo, this one should write [a writ of indebtedness].
  - E They do not write (1) scrolls, (2) phylacteries, or (3) *mezuzot* on the intermediate days of a festival.
  - F And they do not correct a single letter, even in the Torah of the Temple court.
  - G R. Judah says, "A man may write out phylacteries and *mezuzahs* for his own use.
  - H "And he may spin on his thigh the purple thread for his fringes."
- **3:5** A He who buries his dead three days before the festival— the requirement of the seven days of mourning is nullified for him.
  - B [He who buries his dead] eight days [before the festival]— the requirement of the thirty days of mourning is nullified for him.
  - C For they have said, The Sabbath counts [in the days of mourning] but does not interrupt [the period of mourning], [while] the festivals interrupt [the period of mourning] and do not count [in the days of mourning].
- **3:6** A R. Eliezer says, "After the Temple was destroyed, Pentecost is deemed equivalent to the Sabbath."
  - B Rabban Gamaliel says, "The New Year and the Day of Atonement are deemed equivalent to festivals."
  - C And sages say, "The rule is in accord with the opinion neither of this one nor of that one.
  - D "But Pentecost is deemed equivalent to a festival, and the New Year and the Day of Atonement are deemed equivalent to the Sabbath."
- **3:7** I A They do not tear their clothing, bare the shoulder, or provide food for mourners, except the near relatives of the deceased.
  - II B And they do not provide mourners food except on an upright couch.
  - III C They do not bring [food] to a house of mourning on a tray, salver, or flat basket, but in plain baskets.
  - IV D And they do not [in Grace after meals] say the blessing for mourners during the intermediate days of the festival.
    - E But [the mourners] do stand in a line and offer consolation and dismiss those that have gathered together.

- 3:8 V А They do not set the bier down in the street,
  - В so as not to give occasion for a lamentation.
  - And under no circumstances do they set down the bier of women in the street, on С account of respect.
  - Women on the intermediate days of a festival wail but do not clap their hands. Ι D
    - E R. Ishmael says, "Those who are near the bier clap their hands."
- 3:9 On the new moons, Hanukkah, and Purim they wail and clap their hands. Π А
  - Ш В On none of them do they sing a dirge.
    - Once the deceased has been buried, they do not wail or clap their hands. С
    - D What is a wail?
    - When all sing together. E
    - F What is a dirge?
    - G When one starts, and then all join in with her,
    - Η as it is said, Teach your daughters wailing, and every one her neighbor a dirge (Jer. 9:19).
    - But in the time which is coming, it says, He has swallowed up death forever, and Ι the Lord God will wipe away tears from off all faces, and the reproach of his people he shall take away from off all the whole earth, for the Lord has spoken it (Is. 25:8).

## HAGIGAH

1:1		А	All are liable for an appearance offering [before the Lord] (Ex. 23:14, Dt. 16:16)
		В	except for (1) a deaf-mute, (2) an idiot, (3) a minor,
		С	(4) one without pronounced sexual characteristics, (5) one who exhibits the sexual
		_	traits of both sexes,
		D	(6) women, (7) slaves who have not been freed,
		E	(8) the lame, $(9)$ the blind, $(10)$ the sick, $(11)$ the old,
		F	(12) and one who cannot go up on foot.
	Ι	G	What is the definition of a minor?
		Η	"Any who cannot ride on the shoulder of his father to go up from Jerusalem to the Temple mount," the words of the House of Shammai.
		Ι	And the House of Hillel say, "Any who cannot hold his father's hand to go up from Jerusalem to the Temple mount,
		J	"as it is written, <i>Three regalim</i> (Ex. 23:14)."
1:2	II	А	The House of Shammai say, "The appearance offering must be worth at least two pieces of silver, and the festal offering at least one <i>maah</i> of silver."
		В	And the House of Hillel say, "The appearance offering must be at least one <i>maah</i> of silver, and the festal offering must be worth at least two pieces of silver."
1:3		А	Burnt offerings [for appearance offerings] for the intermediate days of a festival derive from [beasts bought with] unconsecrated money.
		В	But peace offerings [for festal offerings] may come from money in the status of second tithe.

- III C On the first festival day (of Passover),
  - D the House of Shammai say, "[The offering must derive] from unconsecrated money."
  - E And the House of Hillel say, "[It may derive] from money in the status of second tithe."
- **1:4** A Israelites [but not priests] fulfill their obligation [in the case of] [peace offerings of rejoicing] through offerings brought in fulfillment of vows and as thank offerings,
  - B and through tithe of cattle [Lev. 27:32].
  - C And priests [do so] through sin offerings, guilt offerings [Num. 18:9], firstlings, and through the breast and shoulder,
  - D but not through fowl or meal offerings.
- **1:5** A He who has many who eat with him and limited property brings many peace offerings but few whole offerings.
  - B [If he has] abundant property and few who eat with him, he brings abundant whole offerings and only a few peace offerings.
  - C If both this and that are limited, concerning such a person it is said, "One *maah* of silver and two pieces of silver [are to be the value of the offering]" [M. 1:2B].
  - D [If] he has an abundance of both, concerning this one it is said, *Every man shall give as he is able, according to the blessing of the Lord thy God which he has given you* (Dt. 16:17).
- **1:6** A He who did not make a festal offering on the first festival day of a festival makes festal offerings throughout the entire festival, including the last festival day of the Festival [of Tabernacles].
  - B [But if] the festival passed and he did not make a festal offering, he is not liable to make it good.
  - C Of such a person it is said, *That which is crooked cannot be made straight, and that which is wanting cannot be reckoned* (Qoh. 1:15).
- **1:7** A R. Simeon b. Menasia says, "What is that which is crooked which cannot be made straight?
  - B "This is one who has sexual relations with woman in a forbidden relationship and produces a *mamzer* from her.
  - C "If you should claim that it applies to a thief or a robber, he can make restitution and *be made straight*."
  - D R. Simeon b. Yohai says, "They call that which is crooked only one who was straight to begin with and who became crooked. What is such a person? It is a disciple of a sage who took his leave of the Torah."
- **1:8** A The absolution of vows hovers in the air, for it has nothing [in the Torah] upon which to depend.
  - B The laws of the Sabbath, festal offerings, and sacrilege— lo, they are like mountains hanging by a string,
  - C for they have little Scripture for many laws.
  - D Laws concerning civil litigations, the sacrificial cult, things to be kept cultically clean, sources of cultic uncleanness, and prohibited consanguineous marriages have much on which to depend.

- E And both these and those [equally] are the essentials of the Torah.
- **2:1** A They do not expound upon the laws of prohibited relationships [Lev. 18] before three persons, the works of creation [Gen. 131 before two, or the Chariot [Ezek. 1] before one,
  - B unless he was a sage and understands of his own knowledge.
  - C Whoever reflects upon four things would have been better off had he not been born:
  - D what is above, what is below, what is before, and what is beyond.
  - E And whoever has no concern for the glory of his Maker—would have been better off had he not been born.
- **2:2** I A Yose b. Yoezer says not to lay on hands. Yose b. Yohanan says to lay on hands.

Ι

- II B Joshua b. Perahyah says to lay on hands. Nittai the Arbelite says to lay on hands.
- III C Judah b. Tabbai says not to lay on hands.
  - Simeon b. Shatah says to lay on hands.
  - D Shemayah says to lay on hands. Abtalyon says not to lay on hands.
  - E Hillel and Menahem did not differ.
  - F Menahem departed, Shammai entered.
  - G Shammai says not to lay on hands. Hillel says to lay on hands.
- H The first-named were patriarchs, and the second to them were heads of the court.
- **2:3** II A The House of Shammai say, "They bring peace offerings [on a festival day] but do not lay hands on them. But [they do] not [bring] whole offerings [at all]."
  - B And the House of Hillel say, "They bring [both] peace offerings and whole offerings, and they lay hands on them."
- **2:4** III A Pentecost which coincided with a Friday—
  - B The House of Shammai say, "The day of slaughtering [the whole offering brought in fulfillment of the requirement of appearing before the Lord] is on the day after the Sabbath."
  - C And the House of Hillel say, "The day of slaughtering [the whole offering] is not after the Sabbath."
  - D But they concur that if it coincided with the Sabbath, the day of slaughtering [the whole offering] is after the Sabbath.
  - E And the high priest does not put on his garments.
  - F And they are permitted to conduct a lamentation or to hold a fast,
  - G so as not to affirm the opinion of those who say, The date of Pentecost [must always fall] after the Sabbath [on Sunday].
- **2:5** A They wash the hands for eating unconsecrated food, tithe, and heave offering;
  - B and for eating food in the status of Holy Things they immerse;
    - C and as to [the preparation of] purification water [through the burning of the red cow], if one's hands are made unclean, his entire body is deemed to be unclean as well.
- **2:6** A He who immerses for the eating of unconsecrated food and is thereby confirmed as suitable for eating unconsecrated food is prohibited from eating tithe.

- B [If] he immersed for eating tithe and is thereby confirmed as suitable for eating tithe, he is prohibited from eating heave offering.
- C [If] he immersed for eating heave offering and is thereby confirmed as suitable for eating heave offering, he is prohibited from eating food in the status of Holy Things.
- D [If] he immersed for eating food in the status of Holy Things and is thereby confirmed as suitable for eating food in the status of Holy Things, he is prohibited from engaging in the preparation of purification water.
- E [If, however], one immersed for the matter requiring the more stringent rule, he is permitted to engage in the matter requiring the less stringent rule.
- F [If] he immersed but was not confirmed, it is as though he did not immerse.
- **2:7** A The clothing of ordinary folk is in the status of *midras* uncleanness for abstainers [who eat unconsecrated food in a state of cultic cleanness].
  - B The clothing of abstainers is in the status of *midras* uncleanness for those who eat heave offering [priests].
  - C The clothing of those who eat heave offering is in the status of *midras* uncleanness for those who eat Holy Things [officiating priests].
  - D The clothing of those who eat Holy Things is in the status of *midras* uncleanness for those engaged in the preparation of purification water.
  - E Yosef b. Yoezer was the most pious man in the priesthood, but his handkerchief was in the status of *midras* uncleanness so far as eating Holy Things was concerned.
  - F For his whole life Yohanan b. Gudegedah ate his food in accord with the requirements of cleanness applying to Holy Things, but his handkerchief was in the status of *midras* uncleanness so far as those engaged in the preparation of purification water were concerned.
- 3:1AA more stringent rule applies to Holy Things than applies to heave offering,IBfor: They immerse utensils inside of other utensils for purification for use with
  - (food in the status of] heave offering,
  - C but not for purification for use with [food in the status of I Holy Things. II D [They make a distinction among] outer parts, inside, and holding place in the case
    - of use for heave offering,
    - E but not in the case of use for Holy Things.
  - III F He who carries something affected by *midras* uncleanness [may also] carry heave offering,
    - G but [he may] not [also carry food in the status of] Holy Things.
  - IV H The clothing of those who are so clean as to be able to eat heave offering is deemed unclean in the status of *midras* uncleanness for the purposes of Holy Things.
    - J The rule for Holy Things is not like the rule for heave offering.
  - V K For in the case of [immersion for use of] Holy Things one unties a knot and dries it off, immerses and afterwards ties it up again.
    - L And in the case of heave offering one ties it and then one immerses.
- **3:2** VI A Utensils which are completely processed in a state of insusceptibility to uncleanness [and so when completed are clean] require immersion for use in connection with Holy Things,
  - B but not for use in connection with heave offering.
  - VII C A utensil unites everything contained therein for the purposes of Holy Things,

- D but not for the purposes of heave offering.
- VIII E [That which is made unclean in] the fourth remove from the original source of uncleanness in the case of Holy Things is invalid,
  - F but only [that which is made unclean in] the third in the case of heave offering.
- IX G And in the case of heave offering, if one of one's hands is made unclean, the other is clean.
  - H But in the case of Holy Things one has to immerse both of them.
- X I For one hand imparts uncleanness to the other for the purposes of Holy Things,
  - J but not for the purposes of heave offering.
- **3:3** XI A With unclean hands they eat food which has not been wet down in the case of heave offering,

B but not in the case of Holy Things.

- XII C He who (prior to interment of the deceased] mourns his next of kin [without having contracted corpse uncleanness] and one whose atonement rite is not complete [because an offering is yet required] require immersion for the purposes of Holy Things,
  - D but not for the purposes of heave offering.
- **3:4** A more stringent rule applies to heave offering [than to Holy Things]:
  - B For: In Judah people are deemed trustworthy in regard to the preservation of the cleanness of wine and oil [for use on the altar—that is, food in the status of Holy Things] throughout the year.
  - C But [only] in the time of pressing the wine and crushing the olives also for the purposes of heave offering [are they deemed trustworthy].
  - D After the time of pressing the wine and crushing the olives has passed, [if one brought to [a priest] a jug of wine in the status of heave offering, he should not accept it from him.
  - E But he simply leaves it for the next season of pressing the wine.
  - F But if he said to him, "I set apart in this jug of wine a quarter-*log* which is in the status of Holy Things," then he is deemed trustworthy [and the jug is accepted].
  - G As to jugs of wine and oil in which wine or oil in the status of heave offering has been mixed, [common people] are deemed trustworthy in their regard at the time of pressing the wine and crushing the olives,
  - H and for seventy days before the pressing of the wine as well.
- **3:5** A From Modiin and inwards [toward Jerusalem, people] are deemed trustworthy in regard to the status of clay utensils.
  - B From Modiin and outwards, they are not deemed trustworthy.
  - C How so?
  - D A potter who sells pots—
  - E [if] there came within the border of Modiin [toward Jerusalem] that potter, those pots, and those purchasers—
  - F he is deemed trustworthy.
  - G [If] he went beyond the limit, he is not deemed trustworthy.
- **3:6** A Tax collectors who went into a house,
  - B and so too thieves who returned objects [they had stolen]
  - C are deemed trustworthy to state, "We did not touch them [and make them unclean]."

- D And in Jerusalem they are deemed trustworthy in matters concerning Holy Things,
- E and at the time of the festivals, also concerning matters touching on heave offering.
- **3:7** A He who opens up a jug of wine or broke into dough [to sell them] for the needs of a festival—
  - B R. Judah says, "He finishes [selling them after the festival]."
  - C And sages say, "He does not finish [selling them after the festival]."
  - D After the festival was over, they undertook the purification of the Temple court.
  - E [If] the festival ended before a Friday, they did not undertake the purification,
  - F because of the honor owing to the Sabbath.
  - G R. Judah says, "Also not before Thursday, for the priests are not free."
- **3:8** A How do they undertake the purification of the Temple court? They immerse the utensils which were in the Sanctuary, and say to them, "Be careful not to touch the table and render it unclean."
  - B All utensils which were in the Temple have duplicates and triplicates, so that if the originals are made unclean, they may bring the duplicates in their place.
  - C All utensils which were in the Temple require immersion,
  - D except for the golden altar and the copper altar,
  - E "for they are in the status of the ground [and insusceptible to uncleanness to begin with]," the words of R. Eliezer.
  - F And sages say, "Because they are plated [with metal, gold or copper]."

# The Third Division Women

# YEBAMOT

**1:1** A Fifteen women [who are near of kin to their deceased, childless husband's brother] exempt their co-wives, and the co-wives, from *halisah* and from levirate marriage,

without limit.

- B And these are they:
- C (1) His daughter, and (2) the daughter of his daughter, and (3) the daughter of his son;
- D (4) the daughter [by a former marriage] of his wife, and (5) the daughter of her son [by a former marriage], and (6) the daughter of her daughter [by a former marriage];
- E (7) his mother-in-law, and (8) the mother of his mother-in-law, and (9) the mother of his father-in-law [married to his brother by the same father];
- F (10) his sister by the same mother, and (11) the sister of his mother, and (12) the sister of his wife;

- G (13) and the wife of his brother by the same mother, and (14) the wife of his brother who was not [alive] at the same time as he [but who died before he was born, in which case the surviving brother has no claim];
- H and (15) his [former] daughter-in-law [who then married his brother]—
- I lo, these exempt their co-wives and the co-wives of their co-wives, from *halisah* and from levirate marriage, without limit [= A].
- J And in the case of all of them, if they died [before the husband], or exercised the right of refusal, were divorced [by the childless husband], or turned out to be barren—
- K their co-wives are permitted [to enter into levirate marriage, since they are not deemed cowives].
- L But you cannot rule in the case of his mother-in-law and in the case of the mother of his mother-in-law, or in the case of the mother of his father-in-law [E], "Who turned out to be barren," or "Who exercised the right of refusal."
- **1:2** A How do *they exempt their co-wives* [from the requirement of *halisah* and from levirate marriage (M. 1:1A,I)]?
  - B [If] his daughter or any one of all those forbidden degrees was married to his brother, and he [the brother] had another wife, and he [the brother] died [without children],
  - C just as his daughter is exempt [from levirate marriage or *halisah*], so her co-wife is exempt.
  - D [If] the co-wife of the daughter went and married another of his brothers ["his second brother"], and he [the other brother] had another co-wife, and he [the other brother] died,
  - E just as the co-wife of his daughter [C] is exempt, so the co-wife of her co-wife is exempt,
  - F even if they are a hundred M. 1:1A-B: without limit]
  - G How [do we define a case in which] *if their co-wives died, they are permitted* [M. 1:1J]?
  - H [If] his daughter or any one of all those forbidden degrees was married to his brother, and he [the brother] had another wife, and his daughter died or was divorced, and afterward his brother died [without children]—
  - I her co-wife [now no longer a co-wife of his daughter] is permitted [to enter levirate marriage with him].
  - J And any [young girl] who can exercise the right of refusal and has not exercised the right of refusal—her co-wife performs the rite of *halisah* and does not enter into levirate marriage.
- **1:3** A Six forbidden degrees are subject to a more strict rule than these [the fifteen women referred to in M. 1:1],
  - B for they are [validly] married [only] to outsiders, [not to one's paternal brother], [and so] their co-wives are permitted:
  - C (1) his mother, and (2) the wife of his father, and (3) the sister of his father, and (4) his sister from the same father, and (5) the wife of his father's brother, and (6)the wife of his brother from the same father.
- **1:4** A The House of Shammai declare the co-wives permitted [to enter into levirate marriage with] the brothers.
  - B And the House of Hillel declare [them] prohibited.
  - C [If] they have performed the rite of *halisah*,
  - D the House of Shammai declare [them] invalid [for marriage with] the priesthood.
  - E And the House of Hillel declare [them] valid.
  - F [If] they have entered into levirate marriage,
  - G the House of Shammai declare them valid [for marriage with the priesthood].

- H And the House of Hillel declare them invalid.
- I Even though these declare prohibited and those permit, these declare invalid and those declare valid, the House of Shammai did not refrain from taking wives from the women of the House of Hillel, nor [did] the House of Hillel [refrain from taking wives from the women] of the House of Shammai.
- J [And despite] all those decisions regarding matters of cleanness or uncleanness in which these did declare clean and those unclean,
- K they did not refrain from preparing things requiring preparation in a state of cleanness in dependence on one another.
- **2:1** A How [is it so that] *the wife of his brother who was not a contemporary* [exempts her cowife from the requirement of levirate marriage or *halisah* (M.1:1)]?
  - B Two brothers—
  - C and one of them died,
  - D and a [further] brother was born to them,
  - E and afterward the second [brother] entered into levirate marriage with the wife of his [deceased childless first] brother, and [then] he [the second brother too] died—
  - F the first [wife, who already had one time entered into levirate marriage to the third, surviving brother] *goes forth* on the count of being the wife of his brother who was not a contemporary.
  - G And the second [wife, the one married to the second brother goes forth without levirate marriage to the third, surviving brother or *halisah*] on the count of being her [the first brother's wife's] co-wife.
  - H [If] he [the second brother] had bespoken her [= made a statement of intention, i.e., he did not enter into levirate marriage with the sister-in-law but betrothed her by money or deed, which is not a total completion of levirate marriage], and then he [the second brother] died,
  - I the second executes the rite of *halisah* but does not enter into levirate marriage.
- 2:2 A Two brothers—
  - B and one of them died,
  - C and the second entered into levirate marriage with the wife of his brother,
  - D and afterward a brother was born to them,
  - E and he [the second brother, who entered into levirate marriage with the widow of the deceased first brother] died—
  - F the first [brother's wife] goes forth on the count of being the wife of his brother who was not a contemporary,
  - G and the second on the count of being her co-wife.
  - H [If] he [the second brother] had bespoken her and then died,
  - I the second executes the rite of *halisah* but does not enter into levirate marriage.
  - J R. Simeon says, "He [D-F] enters into levirate marriage with whichever one of them he chooses, or he executes the rite of *halisah* with whichever one of them he chooses."
- **2:3** A A general rule did they lay down in regard to the levirate woman [widow of a deceased childless brother]:
  - B (1) Any [sister-in-law] who is prohibited as one of the forbidden degrees [of Leviticus 18] neither executes the rite of *halisah* nor is taken in levirate marriage [and exempts her co-wife (M. 1:1A)].

- C (2) [If] she is prohibited [to her brother-in-law] by reason of a prohibition on account of a commandment or a prohibition on account of sanctity, she executes the rite of *halisah* but is not taken in levirate marriage [nor does her co-wife (M. 1:1A)].
- D (3) [If] her sister is [also] her sister-in-law [widow of her childless brother-in-law], she either executes the rite of *halisah* or is taken into levirate marriage.
- **2:4** A *A prohibition on account of a commandment:* a secondary grade [of forbidden degrees] on account of the rulings of scribes.

B *A prohibition on account of sanctity [of the levir]*: (1) a widow [married] to a high priest (Lev. 21:14), (2) a divorcée, or (3) a woman who has executed the rite of *halisah* to an ordinary priest (Lev. 21:7), (4) a *mamzeret*, (5) *a netinah* to an Israelite, a daughter of an Israelite (6) to a *netin* or (7) to a *mamzer* 

- **2:5** A He who has a brother of any sort [even a *mamzer* (B. Yeb. 22a)] [that brother] imposes upon the wife of his [deceased, childless] brother the obligation of levirate marriage—
  - B And [he is] his brother in every regard—
  - C except for him who has [a brother] from a female slave or from a gentile.
  - D He who has a son of any sort—he [the son] exempts the wife of his father from the obligation of levirate marriage—
  - E (And he [the son] is liable for hitting him [the father] or for cursing him.)
  - F and [he is] his son in every regard—
  - G except for him who has a son from a female slave or from a gentile.
- **2:6** I A He who betrothed one of two sisters and does not know which of them he betrothed gives a writ of divorce to this one and a writ of divorce to that one.
  - B [If] he died, and he had one brother, he [the brother] effects a rite of *halisah* with both of them.
  - II C [If] he [who died childless] had two [brothers], one of them effects a rite of *halisah* and one of them enters into levirate marriage.
    - D [If] they went ahead and married [the two women], they [the court] do not remove [the women] from their possession.
- 2:7 III A Two [unrelated men] who betrothed two sisters—
  - B this one does not know which of them he betrothed, and that one does not know which of them he betrothed—
    - C this one gives two writs of divorce, and that one gives two writs of divorce.
    - D [If] they died,
    - E [if] this one has a brother and that one has a brother,
    - F this one effects the rite of *halisah* with both of them, and that one effects the rite of *halisah* with both of them.
  - IV G [If] this one had one [brother] and that one had two,
    - H the one [the sole brother of one of the deceased] effects a rite of *halisah* with both of them.
      - I And [as to] the two [brothers of the other deceased]—one effects a rite *of halisah* with one of them, and [then] one enters into levirate marriage with one of them.
    - J [If] they went ahead and married [the two widows out of betrothal], they do not remove them from their possession.
  - V K [If] this one had two and that one had two [brothers],

- L a brother of this one effects a rite of *halisah* with one of them, and a brother of that one effects a rite of *halisah* with one of them.
- M A brother of this one enters into levirate marriage with the woman with whom the other party's brother had effected a rite of *halisah*, and a brother of that one enters into levirate marriage with the woman with whom the other party's brother has effected a rite of *halisah*.
- N [If] the two went ahead and performed a rite of *halisah* then the [other] two should not enter into levirate marriage.
- O But one of them performs the rite of *halisah* and one of them enters into levirate marriage.
- P If they went ahead and married them, they do not remove them from their possession.
- **2:8** A It is a religious duty for the oldest [surviving brother] to enter into levirate marriage [with the deceased, childless brother's widow].
  - B But if the youngest went ahead [and married her], he has acquired [the sister-in-law].
  - C He who is suspected [of having intercourse] with a slave woman, who is subsequently set free, or with a gentile woman, who subsequently converts,
  - D lo, this one should not marry [her].
  - E But if he married her, they do not remove her from his possession.
  - F He who is suspected [of having intercourse] with a married woman, and they [the court] dissolved the marriage with her husband,
  - G even though he [the suspect] married [the woman],
  - H he must put her out.
- **2:9** A He who delivers a writ of divorce from overseas and stated, "In my presence was it written and in my presence was it sealed" [and who thereby validates the writ] may not [then] marry his (the man's] wife [to whom he brought the writ of divorce].
  - B [If he testified,] "He [the husband] had died," "I killed him," "They killed him," he may not then marry his [the deceased's] wife.
  - C R. Judah says, "[If he stated,] 'I have killed him,' then his wife may not remarry.
  - D "[But if he stated,] '*They* have killed him,' then his wife may remarry."
- **2:10** A A sage who forbade a woman to her husband by reason of [her] vow, lo, this [sage] may not marry her.
  - B [If] she exercised the right of refusal or performed the rite of *halisah* in his presence, he may marry her,
  - C because [in these latter instances,] he [is serving as a member of] a court.
  - D And in the case of all of them [M. 2:9A-D, 2: 10A-C] who had wives (and) [the wives of] whom [thereafter] died—the [other] women may be married to them [who secured the right to remarry].
  - E And in the case of all of them who were married to other men and were divorced or widowed, they [then] are permitted to be married to them.
  - F And all of them are permitted to [marry] their sons or their brothers [of the aforementioned messengers, witnesses, or sages].
- **3:1** I A Four brothers—
  - B two of them married to two sisters—

- C and those who are married to the sisters died—
- D lo, these [surviving, childless widows] perform a rite of *halisah* and do not enter into levirate marriage [with the other two brothers].
- E And if they [the other two brothers] went ahead and married [the two sisters], they must put them away.
- F R. Eliezer says, "The House of Shammai say, 'They may remain wed.'
- G "And the House of Hillel say, 'They must put them away."
- **3:2** II A [If] one of them [the sisters] was prohibited to one of the men by reason of being a forbidden degree [M. 2:3–4],
  - B he is prohibited to marry her. But he is permitted [to enter into levirate marriage] with her sister.
  - C And the second [brother] is prohibited [to enter into levirate marriage] with either of them.
  - D [If one of them was prohibited] by reason of being prohibited as a commandment or prohibited by reason of sanctity [M. 2:3–4], [the sister] performs the rite of *halisah* but does not enter into levirate marriage.
- **3:3** III A [If] one [of the sisters] was prohibited to one of the brothers by reason of being a forbidden degree, and the second was prohibited to another [of the brothers] by reason of being a forbidden degree,
  - B the one who is prohibited to this one is permitted to the other, and the one who is prohibited to the other one is permitted to this one.
  - C This is a case in which they have stated [M. 2:3]: [In a case in which] her sister also is her sister-in-law awaiting levirate marriage, she either performs the rite of *halisah* or enters into levirate marriage [there being no prohibition in such a case by reason of a woman's being the sister of one who is subject to levirate marriage with the surviving brother].
- **3:4** I A Three brothers—
  - B two of them married to two sisters—
  - C or to a woman and her daughter—
  - D or to a woman and the daughter of her daughter—
  - E lo, these women perform the rite of *halisah* and do not enter into levirate marriage.
  - F And R. Simeon declares exempt [B. Yeb. 28b: from *halisah* and levirate marriage].
  - G [If] one of them was prohibited to him by reason of being a forbidden degree, he is prohibited to that one but permitted to [marry] her sister.
  - H [If the prohibition was] a prohibition deriving from a commandment or a prohibition of sanctity, the sisters perform the rite of *halisah* but do not enter into levirate marriage.
- **3:5** II A Three brothers—
  - B two of them married to two sisters—
  - C and one [the third] of them is unmarried—
  - D one of the husbands of the sisters died, and this one who was unmarried bespoke her [the surviving sister]—
  - E and afterward his other brother died—

- F the House of Shammai say, "His wife [the bespoken woman] remains with him. And that other [sister] goes forth on the grounds of being the sister of his wife."
- And the House of Hillel say, "He divorces his wife with a writ of divorce and with G the rite of *halisah*, and the wife of his brother with a rite of *halisah*.
- "This is the sort of case concerning which they have stated, 'Woe is him because of Η his wife, and woe is him because of the wife of his brother!""
- 3:6 Ш А Three brothers—
  - В two of them married to two sisters—
  - С and one of them [the third] married to an unrelated woman-
  - D one of the husbands of the sisters died, and the brother married to the unrelated woman married his [the deceased, childless brother's] widow,
  - and [then] he [the brother who was married to the unrelated woman and also to the E widow of his deceased, childless brother went and] died-
  - F the first woman goes forth [without halisah or levirate marriage] as the sister of his wife, and the second on the grounds of being her co-wife [neither one therefore entering into levirate marriage or requiring a rite of *halisah* with the surviving brother].
  - G [If] he bespoke her [D] and died,
  - Η the unrelated woman performs the rite of halisah but does not enter into levirate marriage.
  - Three brothers— IV Ι
    - J two of them married to two sisters-
    - Κ and one of them married to an unrelated woman-
    - the one married to the unrelated woman died-L
    - Μ and one of the brothers married to the sisters married his wife,
    - Ν then he too died-
    - the first woman goes forth on grounds of being the sister of his wife, and the 0 second on grounds of being the co-wife.
    - Р [If] he bespoke her and then died,
    - the unrelated woman performs the rite of halisah, and does not enter into levirate Q marriage.

#### 3:7 V А Three brothers-

- В two of them married to two sisters-
- С and one of them married to an unrelated woman-
- D one of the husbands of the sisters died, and the one married to an unrelated woman married his widow-
- E and then the wife of the second brother died,
- F and afterward the brother married to the unrelated woman died-
- G lo, this [surviving sister] is prohibited to him for all time,
- since she had been prohibited to him for one moment [when her husband died, she Η was forbidden to his brother, then married to her sister, as his wife's sister].
- VI Ι Three brothers-
  - J two of them married to two sisters,
  - Κ and one of them married to an unrelated woman-
  - one of the husbands of the sisters divorced his wife-L
  - and the brother married to the unrelated woman died-Μ

- N and the one who divorced his wife married her [the unrelated woman], and he too died—
- O this is the sort of case concerning which they have stated, "And in the case of all of them who died or were divorced, their co-wives are permitted [M. 1:1L], [for the unrelated woman taken in levirate marriage never was the co-wife of the sister of the wife of the surviving brother. The sister had been divorced before the levirate marriage to the unrelated man ever took place].
- **3:8** A And in every case (of M. 1:1] in which the betrothal or divorce [of the deceased brother] is subject to doubt,
  - B lo, these co-wives perform the rite of *halisah* but [of course] do not enter into levirate marriage.
  - C What is a case of doubt concerning betrothal?
  - D [If] he threw her a token of betrothal—
  - E it is a matter of doubt whether it landed nearer to him or nearer to her—
  - F this is a case in which there is doubt concerning betrothal.
  - G And a case of doubt concerning a writ of divorce?
  - H [If] one wrote the writ of divorce in his own hand, but there are no witnesses to attest the document—
  - I [if] there are witnesses to attest the document, but it is not dated—
  - J [if] it is dated, but it [contains the attestation of] only a single witness—
  - K this is a case in which the divorce is subject to doubt.
- **3:9** A Three brothers married to three unrelated women—
  - B and one of the men died,
  - C and the second brother bespoke her [the widow of his brother]
  - D and then he too died—
  - E lo, these perform the rite of *halisah* and do not enter into levirate marriage,
  - F since it is said, And one of them dies ... her brother-in-law will come unto her [Dt. 25:5]—
  - G [referring to] the one who is subject to the levirate power of a single brother-in-law, and not the one who is subject to the levirate power of two brothers-in-law.
  - H R. Simeon says, "He [the surviving brother] takes in levirate marriage whichever one he wants and performs the rite of *halisah* with the second woman."
  - I Two brothers married to two sisters—
  - J and one of them died—
  - K and afterward the wife of the second died—
  - L lo, this one [surviving sister] is prohibited to him for all time, since she was prohibited to him for a single moment [as his wife's sister].
- **3:10** A Two men who betrothed two women,
  - B and at the time of their entry into the marriage-canopy, the two women [inadvertently] were exchanged for one another—
  - C lo, these men are liable for (1) having sexual relations with a married woman [namely, the betrothed of the other].
  - D [If in addition] they were brothers, they are liable (2) on the count of having sexual relations with the wife of the brother.
  - E And if the women [in addition] were sisters, they are liable for (3) having sexual relations with a woman and her sister.

- F And if [at the time of sexual relations] they [in addition] were in their menstrual period, the men are liable for (4) having sexual relations with a menstruating woman.
- G And they set them apart for three months,
- H lest they be pregnant.
- I And if they were minors not yet fit to give birth, they are forthwith restored [to their proper husbands].
- J And if they were daughters of priests, they are invalid for eating heave offering.
- **4:1** I A He who undergoes the rite of *halisah* with his deceased childless brother's widow,
  - B and it turns out that she is pregnant, and she gives birth—
  - C when the offspring is timely [and not premature],
  - D he is permitted to marry her relatives, and she is permitted to marry his relatives,
  - E and he has not invalidated her from marrying into the priesthood.
  - F [If] the offspring is not timely,
  - G he is prohibited from marrying her relatives, and she is prohibited from marrying his relatives,
  - H and he has invalidated her from marrying into the priesthood.
- **4:2** II A He who marries [enters into levirate marriage with] his deceased childless brother's widow,
  - B and it turns out that she is pregnant, and she gives birth—
  - C when the offspring is timely,
  - D he must put her away, and they [both man and woman] are liable for sacrifice.
  - E [If] the offspring is not timely,
  - F he may confirm [the marriage].
  - III G [If] it is a matter of doubt whether the offspring is born at nine months, therefore assigned to the first husband, or born at seven months, therefore assigned to the second,
    - H he must put her away.

Π

- I But the offspring is valid.
- J And both of them are liable for a suspensive guilt offering.
- **4:3** I A A woman awaiting levirate marriage who received property—
  - B the House of Shammai and the House of Hillel concur that she sells or gives away the property [which she has received], and the transaction is confirmed.
  - C [If] she died, what do they do with her marriage contract and with the property which comes in and goes out with her [*melog* property]?
    - D The House of Shammai say, "The heirs of the [levirate] husband and the heirs of [the woman's] father divide it."
    - E And the House of Hillel say, "The property remains in the possession of those who have a presumptive claim to it:
    - F "The marriage contract is subject to the presumptive claim of the heirs of the husband.
    - G "The property which comes in and goes out with her is subject to the presumptive claim of the heirs of the father."
- **4:4** III A [If] he married her, lo, she is deemed to be in the status of his wife for every purpose,

- B but in this matter only: [the charge of] her marriage contract [falls] onto the property of her first husband.
- **4:5** A It is the duty of the oldest surviving brother to enter into levirate marriage.
  - B [If he did not want to do so, they pass in turn to all the other brothers.
    - C [If they [all] did not want to do so, they go back to the oldest and say to him, "Yours is the duty! Either undergo the rite of *halisah* or enter into levirate marriage."
- 4:6 A [If the levir proposed to] suspend [his decision, waiting] for a youngster to grow up, or for an adult to come from overseas, or for a deaf-mute or an idiot [to recover sound or sense], Bb they do not listen to him.
  - But they say to him: "Yours is the duty. Either undergo the rite of *halisah* or enter into levirate marriage,"
- **4:7** I A He who undergoes a rite of *halisah* with his deceased childless brother's widow, lo, he is deemed as one with the brothers for inheritance [of the deceased brother's estate]—
  - B And if there is a father [of the deceased brother] there [to share in the inheritance],
  - C the property reverts to the father.

Π

- D He who marries his deceased childless brother's widow acquires the estate of his brother.
- E R. Judah says, "One way or the other:

"If the father is there, the property reverts to the father."

- F He who undergoes a rite of *halisah* with his deceased childless brother's widow—
  - G he is prohibited from marrying her relatives, and she is prohibited from marrying his relatives.
    - H He is prohibited from marrying her mother, her mother's mother, her father's mother, her daughter, the daughter of her daughter, the daughter of her son, and her sister while she is yet alive.
    - I But [his] brothers are permitted [to marry any of the aforenamed].
    - J And she is prohibited from marrying his father, the father of his father, his son, the son of his son, his brother, and the son of his brother.
    - K A man is permitted to marry the kinswoman of the co-wife of a woman with whom he has performed the rite of *halisah*
    - L but is prohibited from marrying the co-wife of the kinswoman of a woman with whom he has performed the rite of *halisah*.
- **4:8** III A He who undergoes a rite of *halisah* with his deceased childless brother's widow,
  - B and his brother married her sister,
  - C and [this brother] died—
  - D she performs a rite of *halisah* and is not taken in levirate marriage.
  - E And so: He who divorces his wife, and his brother married her sister,
  - F and [his brother] died—
  - G lo, this one is exempt from the rite of *halisah* and from levirate marriage.
- **4:9** A A woman awaiting marriage with a levir, the brother of whom betrothed her sister—

- B in the name of R. Judah b. Beterah did they say, "They instruct him: 'Wait until your older brother does a deed.'"
- I C [If] his brother underwent a rite of *halisah* with her [the woman awaiting levirate marriage] or married her,
  - D he [B] may [then] marry his wife.
- II E [If] the deceased childless brother's widow died, he may marry his wife.
- III F [If] the levir died,
  - G let him [of A] put away his [betrothed] wife with a writ of divorce and the wife of his brother with a rite of *halisah*.
- **4:10** A A deceased childless brother's widow should not perform the rite of *halisah* or enter into levirate marriage until three months have gone by.
  - B And so in the case of all other women: they should not become betrothed or enter marriage until three months have gone by [after the conclusion of a former marriage].
  - C All the same are virgins and women who have had sexual relations,
  - D all the same are women who have been divorced and widows,
  - E all the same are married women and betrothed women.
  - F R. Judah says, "Those who have been married [and whose husbands have died] may be betrothed, and those who are betrothed [and whose husbands died] may be married,
  - G "except for those who have been betrothed in the province of Judah.
  - H "[For there], the [bridegroom] is shameless for her."
  - I R. Yose says, "All women may be betrothed,
  - J "except for a widow,
  - K "on account of mourning [for a period of thirty days]."
- **4:11** A Four brothers married to four women, and they died [leaving yet more surviving brothers]—
  - B if the oldest [surviving] brother among them wants to enter into levirate marriage with all of them [the surviving, childless widows], he has the right to do so.
  - C He who was married to two women and who died—
  - D the act of sexual relations [in levirate marriage] or the rite of *halisah of* one of them exempts her co-wife [from the requirement to do the same].
  - E [If] one of them was valid and one of them was invalid [for marriage into the priesthood],
  - F if he then performs the rite of *halisah*, let him perform the rite of *halisah* with the one invalid [for marriage into the priesthood].
  - G And if he was going to enter into levirate marriage, let him enter into levirate marriage with the one who is valid [for marriage into the priesthood].
- **4:12** A He who remarries a woman whom he has divorced [after she had wed someone else and was divorced or widowed], he who marries a woman with whom he has performed the rite of *halisah*, and he who marries the kinswoman of a woman with whom he has performed the rite of *halisah* [M. 4:7G-H]
  - B must put her away.
  - C "And the offspring [of such a union] is a *mamzer*." the words of R. Aqiba.
  - D And sages say, "The offspring is not a *mamzer*.
  - E But they concede in the case of one who marries the kinswoman of a woman whom he has divorced,
  - F that the offspring is a *mamzer*,

- **4:13** A What is the definition of a *mamzer*?
  - B "[The offspring of] any [marriage of] near of kin which is forbidden under the rubric, *He shall not come into the congregation of the Lord*" (Dt. 23:3), the words of R. Aqiba.
  - C Simeon of Teman says, "[The offspring of] any [marriage] for which the participants are liable to extirpation by Heaven."
  - D And the law follows his opinion.
  - E R. Joshua says, "[The offspring of] any [marriage] for which the participants are liable to be put to death by a court."
  - F Said R. Simeon b. Azzai, "I discovered a family register in Jerusalem, in which was written: 'Mr. So-and-so is a *mamzer*, [having been born of an illicit union] of a married woman [and someone other than her husband]"—
  - G so supporting the opinion of R. Joshua.
  - H (1) His wife who died—
  - I he is permitted to marry her sister.
  - J (2) [If] he divorced her and afterward she died,
  - K he is permitted to marry her sister.
  - L (3) [If] she was married to someone else and died,
  - M he is permitted to marry her sister.
  - N (4) His deceased childless brother's widow who died—
  - O he is permitted to marry her sister.
  - P (5) [If] he performed the rite of *halisah* with her and she died,
  - Q he is permitted to marry her sister.
- **5:1** A Rabban Gamaliel says, "There is no writ of divorce [which is valid] after [another] writ of divorce,
  - B "and no bespeaking [a statement of betrothal in a case of a levirate connection] after another bespeaking,
  - C "and no coition (consummating a levirate marriage] after another coition,
  - D "and no rite of *halisah* [which is valid] after another rite of *halisah*."
  - E And sages say, "There is a writ of divorce [which is valid] after [another]writ of divorce,
  - F "and there is bespeaking after bespeaking,
  - G "but there is nothing [validly done] after coition or after a rite of *halisah*.
- **5:2** A How so?
  - B [If a levir] bespoke his deceased childless brother's widow and [then] gave her a writ of divorce,
  - C she [nonetheless] requires a rite of *halisah* from him.
  - D [If] he bespoke her and then performed a rite of *halisah*,
  - E she [nonetheless] requires a writ of divorce from him.
  - F [If] he bespoke her and then had sexual relations, lo, this has been done in accord with its requirement.
- **5:3** A [If] one gave a writ of divorce and [then] bespoke [the deceased childless brother's widow], she requires a writ of divorce and a rite of *halisah*.
  - B [If] he gave a writ of divorce and then had sexual relations, she requires a writ of divorce and a rite of *halisah*.
  - C [If] he gave a writ of divorce and performed the rite of *halisah*, nothing whatsoever follows the rite of *halisah* [= M. 5:1G].

- D (1) [If] he performed the rite of *halisah* and [then] bespoke [the deceased childless brother's widow], [or] (2) gave a writ of divorce, or had sexual relations [with her],
- E Or [if] he (1) had sexual relations, [then] bespoke [the woman], [or] (2) gave a writ of divorce or performed the rite of *halisah*
- F nothing whatsoever follows the rite of *halisah*.
- G All the same are the cases of a single deceased childless brother's widow with a single levir, and two deceased childless brothers' widows with a single levir.
- **5:4** A How so [M. 5:3G]?
  - I B [If] he bespoke this one and bespoke that one, they require two writs of divorce and [one] rite of *halisah*.
  - II C [If] he bespoke this one and [gave] a writ of divorce to that one, she [the bespoken widow] requires a writ of divorce and the rite of *halisah*.
  - III D [If] he bespoke this one and had sexual relations with that one, they require two writs of divorce and [one] rite of *halisah*.

IV E [If] he bespoke this one and performed the rite of *halisah* with that one,

- F the first one requires a writ of divorce.
- V G [If he gave a] writ of divorce to this one and a writ of divorce to that one, they require from him a rite of *halisah*.
- VI H [If he gave] a writ of divorce to this one and had sexual relations with that one, I she [the latter] requires a writ of divorce and a rite of *halisah*.
- VII J [If he gave] a writ of divorce to this one and bespoke that one, she [the latter] requires a writ of divorce and *halisah*.
- VIII K [If he gave] a writ of divorce to this one and performed *halisah* with that one, L nothing whatsoever follows the rite of *halisah*.
- **5:5** IX A (1) [If] he performed the rite of *halisah* (with this one] and performed the rite of *halisah* [with that one],
  - B or (2) if he performed the rite of *halisah* with this one and bespoke that one,
  - C or (3) if he gave a writ of divorce to this one and had sexual relations with that one,
  - D (4) if he had sexual relations with this one and had sexual relations with that one,
  - E or (5) if he had sexual relations with this one and bespoke that one,
  - F or (6) if he gave a writ of divorce to this one and performed the rite of *halisah* with that one,
  - G nothing whatsoever follows the rite of *halisah*.
  - H [And this is the rule] whether in the case of a single levir and two deceased childless brother's widows, or two levirs and a single deceased childless brother's widow.
- **5:6** A [If] he performed a rite of *halisah* with one and bespoke one,
  - B gave a writ of divorce to one and had sexual relations with one M. 5:3D],
    - C or had sexual relations and bespoke, and gave a writ of divorce and performed *halisah* [= M. 5:3E],
    - D nothing whatsoever follows the rite of *halisah* M. 5:3F]
    - E whether this comes at the outset, or in the middle, or at the end.
    - F As to sexual relations: when this is at the outset, nothing whatsoever follows it.
    - G If this comes in the middle or at the end, there is something which follows it.
    - H R. Nehemiah says, "All the same are sexual relations and the rite of *halisah*, whether at the beginning or at the middle or at the end:

- I "nothing whatsoever follows either of them."
- 6:1 A He who has sexual relations with his deceased childless brother's widow—
  - B whether inadvertently or deliberately,
  - C whether under constraint or willingly,
  - D even if he does so inadvertently and she deliberately,
  - E he deliberately and she inadvertently,
  - F he under constraint and she not under constraint,
  - G she under constraint and he not under constraint,
  - H all the same being the one who merely partially opens [uncovers the vagina] and the one who completes [entry therein]—
  - I has acquired [his sister-in-law as his levirate wife].
  - J And there is no distinction between one sort of sexual act and some other.
- **6:2** A And so:
  - B he who has sexual relations with any one of all the forbidden degrees which are listed in the Torah, or with any of those invalid [for sexual relations with him]—
  - C for example (1) a widow to a high priest, (2) a divorcée or a woman who has performed the rite of *halisah* with an ordinary priest, (3) a *mamzeret* or a *netinah* with an Israelite, and (4) Israelite woman with a *mamzer* or a *Netin*—
  - D has rendered her invalid [to marry a priest or, if she is a priest's daughter, to eat heave offering].
  - E And there is no distinction between one sort of sexual act and some other.
- **6:3** A [If it is a marriage between] a widow and a high priest, [between] a divorcée or a woman who has performed the rite of *halisah* and an ordinary priest—
  - B from the time of the betrothal, they should not eat heave offering.
  - C R. Eleazar and R. Simeon declare [her] valid [to continue to do so until the marriage is consummated].
  - D [If] they were widowed or divorced—
  - E [if this is a severance of] the marriage, they remain invalid [for eating heave offering].
  - F [If this is a severance of] betrothal, they are valid [once more to eat heave offering or to marry a priest].
- **6:4** A high priest should not marry a widow, whether this is a woman widowed out of betrothal or widowed out of marriage.
  - B And he should not marry an adolescent.
  - C R. Eleazar and R. Simeon declare [it] valid [for him to marry an adolescent].
  - D He should not marry a girl who has lost her virginity by reason of a blow from a piece of wood.
  - E [If] he betrothed a widow and then was appointed high priest, he may consummate the marriage.
  - F *M'SH B*: Joshua b. Gamla betrothed Martha, daughter of Baythos. Then the king appointed him high priest. He married her.
  - G A woman awaiting marriage with her levirate brother-in-law who came [for that purpose] before an ordinary priest, and then he [the eligible brother-in-law] was appointed high priest—
  - H even though he has bespoken her, lo, this one should not consummate the marriage.

- I A high priest whose brother died, performs the rite of *halisah* and does not enter into levirate marriage [with the surviving sister-in-law].
- **6:5** A An ordinary priest should not marry a sterile woman, unless he already has a wife and children.
  - B R. Judah says, "Even though he has a wife and children, he should not marry a sterile woman,
  - C "because she is *the whore* (Lev. 21:7) referred to in the Torah."
  - D And sages say, "The category of *whore* applies only to the woman who has converted or to the woman who has been freed from slavery [because of their prior status], and to the woman who has undergone licentious sexual relations."
- **6:6** A A man should not give up having sexual relations unless he has children.
  - B The House of Shammai say, "Two boys."
  - C And the House of Hillel say, "A boy and a girl,
  - D "since it is said, *Male and female he created them* (Gen. 5:2)."
  - E [If] a man married a woman and lived with her for ten years and she did not give birth, he has no right to desist from having sexual relations with her.
  - F [If] he divorced her, she is permitted to marry someone else.
  - G The second husband is allowed to live with her for ten years.
  - H And if she miscarried, she counts the ten years from the time that she miscarried.
  - I The man is required to be fruitful and multiply but not the woman.
  - J R. Yohanan b. Beroqah says, "Concerning both of them does Scripture say, And God blessed them and said to them, Be fruitful and multiply" (Gen. 1:28).
- 7:1 A A widow wed to a high priest,
  - B a divorcée or a woman who has performed the rite of *halisah* wed to an ordinary priest —
  - C [if] she brought in to him [as part of her dowry] *melog* slaves and iron flock slaves—
  - D the *melog* slaves do not eat heave offering.
  - E The iron flock slaves eat.
  - F What are *melog* slaves?
  - G [If] they died, the loss is hers, and if they increase in value, the increase is hers.
  - H Even though he [the husband] is liable to maintain them, lo, these do not eat heave offering.
  - I And what are iron flock slaves?
  - J [If] they die, the loss is his, and if they increase in value, the increase is his.
  - K Since he is responsible to replace them if they are lost, lo, these eat heave offering.
- **7:2** A An Israelite girl who married a priest and brought him slaves [as part of her dowry], whether these are *melog* slaves or iron flock slaves—
  - B lo, these eat heave offering.
  - C And a priest's daughter who married an Israelite and brought him [as part of her dowry], either *melog* slaves or iron flock slaves,
  - D lo, these do not eat heave offering.
- 7:3 A "An Israelite daughter who was married to a priest, who died and left her pregnant—
   B "her slaves do not eat heave offering on account of the portion [of the slaves] that belongs to the foetus.

- C "For the foetus invalidates [a woman from eating heave offering (Lev. 22:13)] but does not validate, [her doing so]," the words of R. Yose.
- D They said to him, "Since you have given us testimony about the daughter of an Israelite married to a priest,
- E "even the daughter of a priest married to a priest, who died and left her pregnant—
- F "her slaves should not eat heave offering on account of the portion that belongs to the foetus."
- 7:4 A The foetus, the levir, betrothal, a deaf-mute, a boy nine years and one day old
  - B invalidate [a woman from eating heave offering] but do not validate [her to do so].
  - C [If it is a matter of doubt whether or not the boy is nine years and one day old,
  - D [or if] it is a matter of doubt whether or not he has produced two pubic
    - hairs ...
  - E [If a house collapsed on him and on the daughter of his brother [his wife] and it is not known which of them died first,
  - F her co-wife performs *halisah* and does not enter into levirate marriage.
- **7:5** I A The rapist and the seducer and the idiot
  - B do not invalidate [women with whom they have sexual relations] from eating heave offering and do not validate [them for eating heave offering].
  - C But if they are not suitable to enter [into the congregation of] Israel (Dt. 22:2–4), lo, they do invalidate her from eating heave offering.
  - D How so [A-B]?
  - E An Israelite who had sexual relations with a priest's daughter—she [continues to] eat heave offering.
  - F [If she turned out to be pregnant, she does not eat heave offering.
  - G [If the foetus was removed from her womb, she eats heave offering.
  - H A priest who had sexual relations with an Israelite girl—
  - I she does not eat heave offering.
  - J [If] she turned out to be pregnant, she [still] does not eat heave offering [M. 7:3C].
  - K If she gave birth [to a viable offspring], she does eat heave offering.
  - L It turns out that the power of the child is greater than that of the father [since the child validates or invalidates the mother for eating heave offering, which his father could not accomplish].
  - II M A slave invalidates by reason of having sexual relations but not by reason of offspring.
    - N How so?
    - O An Israelite girl married to a priest, or a priestly girl married to an Israelite,
    - P and she gave birth to a son with him,
    - Q and the son went and trifled with a slave girl, and she produced a son from him—
    - R lo, this boy is a slave.
    - S [If] the mother of his [the slave's] father was an Israelite girl married to a priest, [if the father and son die] she does not eat heave offering [by reason of the grandson]. [If] she was a priest's daughter married to an Israelite, [despite the grandson] she does eat heave offering.
  - III T A *mamzer* invalidates and validates for eating.
    - U How so?
    - V An Israelite girl married to a priest, a priestly girl married to an Israelite—
    - W and she produced a daughter with him,

- X and the daughter went and married a slave or a gentile and produced son from him—
- Y lo, this son is a *mamzer*
- Z [If] the mother of his mother was an Israelite girl married to a priest, [because of the *mamzer* grandson, the grandmother] eats heave offering.
- AA [If she was] the daughter of a priest married to an Israelite, [because of the grandson, the grandmother] should not eat heave offering.
- **7:6** A A high priest [!]—
  - B sometimes he invalidates (a woman from eating heave offering].
  - C How so?
  - D A priestly girl married to an Israelite, and she produced a daughter by him, and the daughter went and married a priest and produced a son by him—
  - E lo, this (son] is worthy to be high priest standing and serving at the altar,
  - F and he validates his mother for eating heave offering, and [if his mother died] he invalidates his mother's mother.
  - G This lady then says, "[Let there] not [be many] like my [grand] son, the high priest, who [because he is yet alive] invalidates me from eating heave offering."
- **8:1** A The uncircumcised [priest] and all unclean [priests] do not eat heave offering [Lev. 22:4–6].
  - B Their wives and slaves do eat heave offering.
  - C One with crushed testicles or whose penis is cut off (Dt. 23:2)—
  - D they and their slaves do eat heave offering.
  - E Their wives do not eat heave offering.
  - F And if he did not have intercourse with her from the time that his testicles were crushed or his penis was cut off, lo, these [women] do eat heave offering.
- **8:2** A Who is he who has crushed testicles?
  - B Any one whose testicles are crushed, and even one of them.
  - C And one whose penis is cut off?
  - D Any whose sexual organ is cut off.
  - E But if so much as a hair thread of the crown remained, he is valid [to eat heave offering].
  - F Those whose testicles are crushed or whose penis is cut off are permitted to have sexual relations with a female convert and a freed slave girl.
  - G They are prohibited only from coming into the congregation,
  - H since it is written, *He whose testicles are crushed and whose penis is cut off shall not enter the congregation of the Lord* (Dt. 23:2).
- 8:3 I A The male Ammonite and Moabite are prohibited (from entering the congregation of the Lord (Dt. 23:4)], and the prohibition concerning them is forever.
   B But their women are permitted forthwith.
  - II C The Egyptian and the Edomite are prohibited only for three generations,
    - D all the same being males and females.
      - E R. Simeon permits the females forthwith.
      - F Said R. Simeon, "It is an argument *a fortiori:*
      - G "Now if in the case in which Scripture has prohibited the males forever, it has permitted the females forthwith, in a case in which Scripture has prohibited the

males only for three generations, is it not logical that we should permit the females forthwith?"

- H They said to him, "If you state the rule as a matter of law, we shall accept it. But if you state it as a proposed logical argument, there is an answer."
- I He said to them, "Not so! I state a rule of law."
- III J *Mamzerim* and *Netinim* are prohibited, and the prohibition concerning them is forever,
  - K all the same being males and females.
- 8:4 A Said R. Joshua, "I have heard that:
  - B "The eunuch performs the rite of *halisah*, and they perform the rite of *halisa* with his wife.C "And:

"The eunuch does not perform the rite of *halisah*, and they do not perform the rite *of halisah* with his wife.

- D "And I cannot explain [the conflict between the two sayings]."
- E Said R. Aqiba, "I shall explain [the conflict between the two sayings].
- F "A eunuch castrated by man performs the rite of *halisah*, and they perform the rite *of halisah* with his wife,
- G "because there was a time in which he was valid [as a husband].
- H "A eunuch by nature does not perform the rite of *halisah*, and they do not perform the rite of *halisah* with his wife,
- I "because there was never a time in which he was valid."
- J R. Eliezer says, "Not so, but:
- K "A eunuch by nature performs the rite of *halisah*, and they perform the rite of *halisah* with his wife,
- L "because he may be healed.
- M "A eunuch castrated by man does not perform the rite of *halisah*, and they do not perform the rite of *halisah* with his wife,
- N "because he may never be healed."
- O Testified R. Joshua b. Beterah concerning Ben Megusat, who was in Jerusalem, a eunuch castrated by man, and they subjected his wife to levirate marriage—
- P thus confirming the opinion of R. Aqiba.
- **8:5** A A eunuch does not perform the rite of *halisah* and does not enter into levirate marriage.
  - B And so: a sterile woman does not perform the rite of *halisah* and is not taken in levirate marriage.
    - C The eunuch who performed the rite of *halisah* with his deceased childless brother's widow has not rendered her invalid [for marriage into the priesthood].
    - D [If] he had sexual relations with her, he has rendered her invalid [for marriage into the priesthood],
    - E for it is an act of sexual relations of the character of fornication.
    - F And so: a sterile woman with whom the brothers have performed the rite of halisah—
    - G they have not rendered her invalid [for marriage into the priesthood].
    - H [If] they had sexual relations with her, they have rendered her invalid [for marriage into the priesthood],
    - I for it is an act of sexual relations of the character of fornication.
- **8:6** A A priest, a eunuch by nature, who married an Israelite girl, feeds her heave offering.

- B R. Yose and R. Simeon say, "A priest who bore sexual traits of both sexes who married an Israelite girl feeds her heave offering."
- C R. Judah says, "A person lacking revealed sexual traits who was torn and turned out to be a male should not perform the rite of *halisah*, for he is deemed equivalent to a eunuch."
- D A person bearing traits of both sexes marries but is not taken in marriage.
- E R. Eliezer says, "[Those who have sexual relations with] a person bearing traits of both sexes are liable on his account for stoning as is he who has sexual relations with a male [Lev. 20:13]."
- 9:1 I A There are women permitted to their husbands and prohibited to their levirs,
  - II B permitted to their levirs and prohibited to their husbands,
  - III C permitted to these and to those,
  - IV D and prohibited to these and to those.
  - I E These are women permitted to their husbands and prohibited to their levirs:
    - F (1) An ordinary priest who married a widow, and who has a brother who is high priest;

(2) a man of impaired priestly stock who married a valid woman, and who has a brother who is valid [as a priest];

(3) an Israelite who married an Israelite girl and who has a brother who is a *mamzer*;

(4) a *mamzer* who married a female *mamzer*, and who has a brother who is a valid Israelite—

G [These] are permitted to their husbands and prohibited to their levirs.

9:2

- II A And these are permitted to their levirs and prohibited to their husbands: (1) A high priest who betrothed a widow, and who has a brother who is an
  - (1) A high priest who betrothed a widow, and who has a brother who is an ordinary priest;

(2) a valid [priest] who married a woman of impaired priestly stock and who has a brother of impaired priestly stock;

(3) an Israelite who married a female *mamzer* and who has a brother who is a *mamzer*;

(4) a *mamzer* who married an Israelite girl and who has a brother who is a valid Israelite—

- C —they are permitted to their levirs and prohibited to their husbands.
- IV D Prohibited to these and to those:
  - E (1) A high priest married to a widow [who thus is impaired], who has a brother who is a high priest or [who is] an ordinary priest;

(2) a valid [priest] who married a woman of impaired priestly stock, and who has a brother who is a valid priest;

(3) an Israelite who married a female *mamzer*, and who has a brother who is an Israelite;

(4) a *mamzer* who married an Israelite girl, and who has a brother who is a *mamzer*—

- F these are prohibited to these and to those.
- III G And all other women are permitted to their husbands and to their levirs.
- **9:3** I A In what concerns the secondary grade [of forbidden degrees (M. 2:4)] by reason of scribal rulings:

- II B a woman within a secondary grade of kinship to the husband and not in a secondary grade of kinship to the levir is prohibited to her husband and permitted to her levir.
- III C [If] she is in a secondary grade of kinship to the levir and not in a secondary grade of kinship to the husband, she is prohibited to the levir and permitted to the husband.
- IV D [If] she is in a secondary grade of kinship to this one and to that one, she is prohibited to this one and to that one.
  - E She has no rights to a marriage contract, or to the usufruct [of her *melog* property], or to alimony, or to worn clothes [indemnity, for clothes which have completely worn out] [for loss on *melog* property].
  - F But an offspring of such a marriage is valid [for the priesthood].
  - G And they force him to put her away.
  - H In the case of a widow wed to a high priest, a divorcée or a woman who has performed the rite of *halisah* to an ordinary priest, a female *mamzer* or a female *Netin* to an Israelite, or an Israelite girl to a *Netin* or a *Mamzer*, she has a right to her *ketubah*.
- **9:4** I A An Israelite girl betrothed to a priest, pregnant by a priest, awaiting levirate marriage with a priest,
  - B and so too: a priestly girl married to an Israelite—
  - C does not eat heave offering [see M. 7:4].
  - II D An Israelite girl betrothed to a Levite, pregnant by a Levite, awaiting levirate marriage with a Levite,
    - E and so too: a Levite girl married to an Israelite—
    - F does not eat tithe.
  - III G A Levite girl betrothed to a priest, pregnant by a priest, awaiting levirate marriage with a priest,
    - H and so too, a priestly girl married to a Levite,
    - I eats neither heave offering nor tithe.
- **9:5** A An Israelite girl who married a priest eats heave offering.
  - B [If] he died and she had a child from him, she eats heave offering.
  - C [If] she married a Levite, she eats tithe.
  - D [If] he died and she had a child from him, she eats tithe.
  - E [If] she married an Israelite, she eats neither heave offering nor tithe.
  - F [If] he died, and she had a child from him, she eats neither heave offering nor tithe.
  - G [If] her son by an Israelite died, she eats tithe.
  - H [If] her son by a Levite died, she eats heave offering.
  - I [If] her son by a priest died, she eats neither heave offering nor tithe.
- **9:6** A A priestly daughter who married an Israelite does not eat heave offering.
  - B [If] he died and she had a child from him, she does not eat heave offering.
    - C [If] she married a Levite, she eats tithe.
    - D [If] he died and she had a child from him, she eats tithe.
    - E [If] she married a priest, she eats heave offering.
    - F [If] he died and she had a child from him, she eats heave offering.
    - G [If] her child from the priest died, she does not eat heave offering.
    - H [If] her child from the Levite died, she does not eat tithe.
    - I [If] her child from the Israelite died, she goes back to her father's house.

- J Concerning such a one is it said, *And she shall return to her father's house, as in her girlhood. The food of her father she will eat* (Lev. 22:13).
- **10:1** A The woman whose husband went overseas,
  - B and whom they came and told, "Your husband has died,"
  - C and who remarried,
  - D and whose husband afterward returned,
  - E (1) goes forth from this one [the second husband] and from that one [the first].
  - F And (2) she requires a writ of divorce from this one and from that.
  - G And she has no claim of (3) [payment of her] marriage contract, (4) of usufruct, (5) of alimony, or (6) of indemnification, either on this one or on that.
  - H (7) If she had collected anything [of G] from this one or from that, she must return it.
  - I (8) And the offspring is deemed a *mamzer*, whether born of the one marriage or the other.
  - J And (9) neither one of them [if he is a priest] becomes unclean for her [if she should die and require burial].
  - K And neither one of them has the right either (10) to what she finds or (11) to the fruit of her labor, or (12) to annul her vows.
  - L [If] (13) she was an Israelite girl, she is rendered invalid for marriage into the priesthood; a Levite, from eating tithe; and a priest girl, from eating heave offering.
  - M And the heirs of either one of the husbands do not inherit her *ketubah*.
  - N And if they died, a brother of this one and a brother of that perform the rite of *halisah* but do not enter into levirate marriage.
  - O R. Yose says, "Her marriage contract is [a lien] on the property of her first husband."
  - P R. Eleazar says, "The first husband has a right to what she finds and to the fruit of her labor and to annul her vows."
  - Q R. Simeon says, "Having sexual relations with her or performing a rite *of halisah* with her on the part of the brother of the first husband exempts her co-wife [from levirate connection].
  - R "And offspring from him is not a *mamzer*
  - S But if she should remarry without permission, [since the remarriage was an inadvertent transgression and null], she is permitted to return to him.
- **10:2** A [If] she was remarried at the instruction of a court,
  - B she is to go forth,
  - C but she is exempt from the requirement of bringing an offering.
  - D [If] she did not remarry at the instruction of a court, she goes forth,
  - E and she is liable to the requirement of bringing an offering.
  - F The authority of the court is strong enough to exempt her from the requirement of bringing a sacrifice.
  - G [If] the court instructed her to remarry, and she went and entered an unsuitable union,
  - H she is liable for the requirement of bringing an offering.
  - I For the court permitted her only to marry [properly].
- **10:3** I A The woman whose husband and son went overseas,
  - B and whom they came and told, "Your husband died, and then your son died,"
  - C and who remarried,
  - D and whom they afterward told, "Matters were reversed"—
  - E goes forth [from the second marriage].
  - F And earlier and later offspring are in the status of *mamzer*

- II G [If] they told her, "Your son died and afterward your husband died,"and she entered into levirate marriage, and afterward they told her, "Matters were reversed,"
  - H she goes forth [from the levirate marriage].
  - I And the earlier and later offspring are in the status of a *mamzer*
- III J [If] they told her, "Your husband died," and she married, and afterward they told her, "He was alive, but then he died,"
  - K she goes forth [from the second marriage].
  - L And the earlier offspring is a *mamzer*, but the later is not a *mamzer*.
- III M [If] they told her, "Your husband died," and she became betrothed, and afterward her husband came home,
  - N she is permitted to return to him.
  - O Even though the second man gave her a writ of divorce, he has not rendered her invalid from marrying into the priesthood.
  - P This did R. Eleazar b. Matya expound, "*And a woman divorced from her husband* (Lev. 21:7)—and not from a man who is not her husband."
- **10:4** V A He whose wife went overseas, and whom they came and told, "Your wife has died,"
  - B and who married her sister,
  - C and whose wife thereafter came back—
  - D she is permitted to come back to him.
  - E He is permitted to marry the kinswoman of the second, and the second woman is permitted to marry his kinsmen.
  - F And if the first died, he is permitted to marry the second woman. VI G [If] they said to him "Your wife has died "and he married her sis
    - G [If] they said to him, "Your wife has died," and he married her sister, and afterward they said to him, "She was alive, but then she died"—
      - H the former offspring is a *mamzer* [born before the wife died], and the latter is not a *mamzer*
      - I R. Yose says, "Anyone who invalidates [his wife] for [marriage] with others invalidates her for marriage for himself, and whoever does not invalidate his wife for marriage with others does not invalidate her for himself."
- **10:5** A (1) [If] they said to him, "Your wife has died,"
  - B (2) and he married her sister by the same father,
  - C (3) [and they reported that] she died and he married her sister from the same mother,
  - D (4) [and they reported that] she died and he married her sister from the same father,
  - E (5) [and they reported that] she died, and he married her sister from the same mother—
  - F and it turns out that all of them are alive—
  - G he is permitted [to continue in marriage] with the first, the third, and fifth,
  - H and they exempt their co-wives.
  - I But he is prohibited [to continue in marriage] with the second and fourth,
  - J and sexual relations [of the levir] with one of them does not exempt co-wife.
  - K And if he had intercourse with the second after the [actual] death of the first, he is permitted [to remain married to] the second and the fourth,
  - L and they exempt their co-wives.
  - M And he is prohibited [to remain married to] the third and the fifth.
  - N And sexual relations with one of them does not exempt her co-wife.
- **10:6** I A A boy nine years and one day old

	B C	invalidates [his deceased childless brother's widow] for the other brothers, and the other brothers invalidate her for him.	
	D	But [while] he invalidates her at the outset,	
	E	(and) the brothers invalidate her at the outset and at the end.	
	F	How so?	
	G	A boy nine years and one day old who had sexual relations with his deceased childless brother's widow has invalidated her for the [other] brothers.	
	Η	[If one of] the brothers had sexual relations with her, bespoke her, gave her a writ of divorce, or performed the rite of <i>halisah</i> with her,	
	Ι	they have invalidated her for him.	
II	А	A boy nine years and one day old who had sexual relations with his deceased childless brother's widow,	
	В	and afterward his brother, who was nine years and one day old, had sexual relations with her,	
	С	he [the latter] has invalidated her for marriage with him [the former].	
	D	R. Simeon says, "He has not invalidated [her for marriage with the first brother]."	
III	А	A boy nine years and one day old who had sexual relations with his deceased childless brother's widow,	
	В	and afterward he had sexual relations with her co-wife,	
	С	has invalidated her for himself.	
	D	R. Simeon says, "He has not invalidated her for himself."	
IV	Е	A boy nine years and one day old who had sexual relations with his deceased childless brother's widow and then died—	
	F	she performs the rite of <i>halisah</i> but does not enter into levirate marriage [with a levir].	
	G	[If] he married a woman and died, lo, this one is exempt [from levirate connection entirely].	
V	А	A boy nine years and one day old who had sexual relations with his deceased childless brother's widow,	
	В	and when he grew up, he married another wife, and then died—	
	C	if he did not have sexual relations with the first from the time that he reached maturity,	
	D	the first performs the rite of <i>halisah</i> but does not enter into levirate marriage.	
	Ē	And the second either performs the rite of <i>halisah</i> or enters into levirate marriage.	
	F	R. Simeon says, "He [the surviving levir] enters into levirate marriage with whichever one he wants, but he also performs the rite of <i>halisah</i> with the second woman."	
	G	All the same is a boy nine years and one day old and one who is twenty years old but has not produced two pubic hairs.	
A	•	marry the kinswomen of a woman whom one has raped or seduced.	
B		ho rapes or seduces the kinswoman of his wife is liable.	
С	A man marries the woman raped by his father or seduced by his father, raped by his seduced by his son.		

10:7

10:8

10:9

11:1

D R. Judah prohibits in the case of the one raped by his father or seduced by his father.

- **11:2** A The convert whose sons converted with her— they [the sons] neither perform the rite of *halisah* nor enter into levirate marriage,
  - B even if the conception of the first was not in a state of sanctity and the birth was in a state of sanctity, and the second was conceived and born in a state of sanctity.
  - C And so is the law in the case of a slave girl whose sons converted with her.
- **11:3** A Five women [each of whom already has a son and then produced another], whose [other] offspring became confused with one another—
  - B they grew up in this state of confusion—
  - C and married wives and died—
  - D four [of the surviving brothers, whose mothers are known] perform the rite of *halisah* with one widow, and one of them [the fifth] enters levirate marriage with her.
  - E He and three [of the brothers] enter into the rite of *halisah* with another, and one [other] enters into levirate marriage with her [and so on].
  - F It turns out that there are four rites of *halisah* and one levirate marriage for each of the surviving widows.
- 11:4 A The woman whose offspring was confused with the offspring of her daughter-in-law—
  - B they grew up in a state of confusion,
  - C and married wives and died—
  - D the sons of the daughter-in-law perform the rite of *halisah* and do not enter into levirate marriage,
  - E for it is a matter of doubt concerning whether it is the wife of his brother or the wife of the brother of his father.
  - F And the sons of the old lady either perform the rite of *halisah* or enter into levirate marriage,
  - G for it is a matter of doubt concerning whether it is the wife of his brother or the wife of the son of his brother.
  - H [If] the valid ones died,
  - I the sons who were confused perform the rite of *halisah* and do not enter into levirate marriage with the [widows of the childless] sons of the old lady,
  - J for it is a matter of doubt concerning whether it is the wife of his brother or his father.
  - K And the sons of the daughter-in-law—one of them performs the rite of *halisah* and one enters into levirate marriage [with the widow, etc.].
- **11:5** A A priest girl whose offspring was confused with the offspring of her slave girl—
  - B (1) lo, these [men] eat heave offering.
  - C (2) And they [take and] divide a single share at the threshing floor.
  - D (3) And they do not become unclean by contact with corpses.
  - E (4) And they do not marry wives,
  - F whether valid or invalid [for marriage into the priesthood].
  - G [If] the confused children grew up and freed one another,
  - H (4) they marry wives suitable for marriage into the priesthood.
  - I (3) And they do not become unclean by contact with corpses.
  - J And if they become unclean, they do not incur forty stripes.
  - K (1) And they do not eat heave offering.
  - L And if they ate it, they do not pay back principal and an added fifth.
  - M (2) And they do not take a portion at the threshing floor.
  - N But they sell heave offering.

- O And the proceeds are theirs.
- P And they do not take a share in the Holy Things of the sanctuary.
- Q And they do not give them Holy Things, but they do not take [their Holy Things] back from them.
- R And they are free from the obligation to give the shoulder, cheeks, and maw [to a priest].
- S And their firstling [animal] should be put out to pasture until it suffers a blemish.
- T And they apply to them the strict rules of the priesthood and the strict rules pertaining to ordinary Israelites.
- **11:6** A She who did not delay three months after her husband [divorced her or died] and remarried [M. 4:10] and gave birth,
  - B and it is not known whether the offspring is nine months old, belonging to the former husband, or seven months old, belonging to the latter—
  - C [if] she had sons by the first and sons by the second—
  - D they perform the rite of *halisah* [with his widow] and do not enter into levirate marriage.
  - E And so too he [the son of B] performs the rite of *halisah* but does no enter into levirate marriage in relationship to them [children of the two marriages]
  - F [If] he had brothers by the first marriage and brothers by the second, but not from the same mother—
  - G he performs the rite of *halisah* or enters into levirate marriage.
  - H But as to them, one of them [from one marriage] performs the rite of *halisah*, and one of them [from the other marriage] enters into levirate marriage.
- 11:7 A [If] one of them [the husbands of M. 11:6A-B] was an Israelite and one a priest,
  - B he [of M. 11:6B] marries a woman appropriate for marriage into the priesthood.
  - C He does not become unclean by contact with corpses.
  - D And if he was made unclean, he does not incur forty stripes.
  - E And he does not eat heave offering.
  - F If he ate it, he does not pay back the principal and added fifth.
  - G And he does not take a share at the threshing floor.
  - H But he sells [his own] heave offering, and the proceeds are his.
  - I He does not take a share in the Holy Things of the sanctuary.
  - J And they do not give him Holy Things.
  - K But they do not remove his [Holy Things] from his own possession.
  - L And he is exempt from the requirement to give the priest the shoulder, cheeks, and maw.
  - M And a firstling belonging to him should be put out to pasture until it is blemished.
  - N And they apply to him the strict rules applicable to the priesthood and the strict rules applicable to Israelites.
  - O If both of them [A] were priests, he performs the rites of mourning for them, and they perform the rites of mourning for him.
  - P He does not become unclean for them, and they do not become unclean for him.
  - Q He does not inherit them, but they do inherit him.
  - R And he is exempt for the transgression of smiting or cursing this one or that one [M. 11:6A-B, 11:7A, O].
  - S And he goes up to the Temple for the priestly watch of this one and of that one.
  - T But he does not take a share in the priestly dues of either watch.
  - U If both of them belonged to a single priestly watch, then he does take a single portion [in the share of that watch].

- **12:1** A The proper way to carry out the rite of *halisah* is before three judges,
  - B and even though the three of them are laymen [it is valid].
  - C [If the woman] performed the rite of *halisah* with a slipper, her performance of *halisah* is valid.
  - D (If she did it] with a felt sock, her performance of *halisah* is invalid.
  - E [If she did it] with a sandal which has a heel, it is valid.
  - F [If she did it] with a sandal which does not have a heel, it is invalid.
  - G [If the straps of the sandal were fastened] below the knee, her performance *of halisah* is valid.
  - H [If the straps of the sandal were fastened] above the knee, it is invalid.
- **12:2** A [If] (1) she performed the rite of *halisah* with a sandal which does not belong to him, or (2) with a sandal made of wood, or (3) with the sandal for the left foot on the right foot, her performance of *halisah* is valid.
  - B [If] (1) she performed the rite of *halisah* with a sandal too large in which [nonetheless] he is able to walk about, or (2) with one too small which [nonetheless] covers the larger part of his foot, her performance of *halisah* is valid.
  - C [If] she performed the rite of *halisah* by night, her performance of *halisah* is valid.
  - D R. Eliezer invalidates it.
  - E [If she did it] with the left [shoe], her performance of *halisah* is invalid.
  - F Eliezer validates it.
- **12:3** A [If] she removed the shoe and spit but did not pronounce the prescribed words, her performance of *halisah* is valid.
  - B [If] she pronounced the prescribed words and spit but did not remove the shoe, her performance of *halisah* is invalid.
  - C [If] she removed the shoe and pronounced the prescribed words but did not spit,
  - D R. Eliezer says, "Her performance of *halisah* is invalid."
  - E R. Aqiba says, "Her performance of *halisah* is valid."
  - F R. Eliezer says, *"Thus will be done* (Dt. 25:9)—anything which is an actual deed is essential [to the performance of the rite]."
  - G Said to him R. Aqiba, "Is there proof from that Scripture? *Thus will be done to the* man—anything which is a deed done in regard to the man [is essential]."
- 12:4 A A deaf-mute boy with whom the rite of *halisah* was carried out,
  - B a deaf-mute girl who performed the rite of *halisah*,
  - C she who performs the rite of *halisah* with a minor—
  - D her performance of *halisah* is invalid.
  - E A minor girl who performed the rite of *halisah* should perform the rite of *halisah* again when she grows up.
  - F If she did not perform the rite of *halisah* [later on], her performance of *halisah* is invalid.
- **12:5** A [If] she performed the rite of *halisah* before two judges,
  - B or before three, one of whom turned out to be a relative or otherwise invalid,
  - C her performance of *halisah* is invalid.
  - D R. Simeon and R. Yohanan Hassandlar validate it.
  - E WM'SH B: A certain man performed *halisah* with his deceased childless brother's widow by themselves in prison.

- F And when the case came before R. Aqiba, he validated the rite.
- **12:6** A he proper way to carry out the rite of *halisah* [is as follows]:
  - B He and his deceased childless brother's widow come to court.
  - C And they offer him such advice as is appropriate for him,
  - D since it says, *Then the elders of the city shall call him and speak to him* (Dt. 25:8).
  - E And she shall say, *My husband's brother refuses to raise up for his brother a name in Israel. He will not perform the duty of a husband's brother to me* (Dt. 25:7).
  - F And he says, *I do not want to take her* (Dt. 25:7).
  - G And [all of this] was said in the Holy Language.
  - H Then his brother's wife comes to him in the presence of the elders and removes his shoe from his foot and spits in his face (Dt. 25:9)—spit which is visible to the judges.
  - I And she answers and says, "So shall it be done to the man who does not build up his brother's house."
  - J Thus far did they pronounce [the words of Scripture].
  - K And when R. Hyrcanus pronounced [the words of Scripture] under the terebinth tree in Kefar Etam and completed the reading of the entire pericope, they became accustomed to complete the entire pericope.
  - L And his name shall be called in Israel: The house of him who has had his shoe removed (Dt. 25:9)—it is the duty of the judges, and not the duty of the disciples [so to name him].
  - M R. Judah says, "It is the duty of all bystanders to say, 'The man whose shoe has been removed! The man whose shoe has been removed! The man whose shoe has been removed! "
- **13:1** I A The House of Shammai say, "Only girls who are [merely] betrothed exercise the right of refusal."
  - B And the House of Hillel say, "Those who are betrothed and those who are married."
  - II C The House of Shammai say, "[The right of refusal is exercised] against the husband, but not against the levir."
    - D And the House of Hillel say, "Against the husband and against the levir."
  - III E The House of Shammai say, "[It must be exercised] in his presence."
  - F And the House of Hillel say, "In his presence and not in his presence."
  - IV G The House of Shammai say, "[It must be exercised] in a court."
  - H And the House of Hillel say, "In a court and not in a court."
  - V I Said the House of Hillel to the House of Shammai, "She may exercise the right of refusal while she is a minor, even four or five times."
    - J Replied to them the House of Shammai, "Israelite girls are not ownerless property.
    - K "But: She exercises the right of refusal and waits until she reaches maturity, or she exercises the right of refusal and remarries [forthwith],"
- **13:2** A Who is the sort of girl who must exercise the right of refusal?
  - B Any girl whose mother or brothers have married her off with her knowledge and consent.
  - C [If] they married her off without her knowledge and consent,
  - D she does not have to exercise the right of refusal [but simply leaves the man].
  - E R. Haninah b. Antigonos says, "Any child who cannot keep watch over her betrothal gift does not have to exercise the right of refusal."
  - F R. Eliezer says, "The deed of a minor is null. But she is deemed like one who has been seduced.

- G "[If it is] an Israelite girl with a priest, she does not eat heave offering.
- H "[If it is] a priest girl with an Israelite, she [continues to] eat heave offering.
- **13:3** A R. Eliezer b. Jacob says, "Any hindrance [in the marriage] which derives from the man—it is as if she is his wife.
  - B "And any hindrance [in the marriage] which does not derive from the man— it is as if she is not his wife."
- 13:4 A She who exercises the right of refusal against a man—
  - B he is permitted to marry her kinswoman, and she is permitted to marry his kinsmen.
  - C And he has not invalidated her for marriage into the priesthood.
  - D [If] he gave her a writ of divorce,
  - E he is prohibited from marrying her kinswoman, and she is prohibited from marrying his kinsmen.
  - F And he has invalidated her for marriage into the priesthood.
  - G [If] he (1) gave her a writ of divorce and (2) then took her back,
  - H [If] then she (3) exercised the right of refusal against him and (4) married someone else, and (5) was widowed or divorced—
  - I she is permitted to go back to him.
  - J [If] she (3) exercised the right of refusal and (2) he took her back,
  - K [if] he [then] gave (1) her a writ of divorce and she (4) married someone else and (5) was widowed or divorced,
  - L she is prohibited from going back to him.
  - M This is the general rule: In a case of a writ of divorce following the exercise of the right of refusal, she is prohibited from returning to him.
  - N In a case of exercise of the right of refusal after a writ of divorce, she is permitted to go back to him.
- **13:5** A She who exercises the right of refusal against a man [1] and was remarried to another, who divorced her [2]—
  - B [and who went and was assigned to yet] a third man, and she exercised the right of refusal against him,
  - C [and who went and was assigned to yet] a fourth, who divorced her,
  - D [and who went and was assigned to yet] a fifth, and she exercised the right of refusal against him—
  - E any of the men from whom she went forth with a writ of divorce [A2, C]—she is prohibited from going back to him.
  - F [And any of the men from whom she went forth] by exercising the right of refusal [A1, B, D]—she is permitted to go back to him.
- **13:6** I A He who divorces his wife and took her back.—[if he dies childless] she is permitted to a levir.
  - B And R. Eliezer prohibits [her from entering levirate marriage with her deceased, childless husband's brother].
  - II C And so: He who divorces an orphan and took her back—she is permitted to the levir.
    - D And R. Eliezer prohibits.

	III	Ε	A minor whose father married her off and who was divorced is deemed an orphan while her father is yet alive.
		F	[If] he took her back, the opinion of all parties is that she is prohibited to the levir.
13:7	Ι	A	Two brothers married to two sisters [who are] minor orphans,
		B	and the husband of one of them died—
		C	she [the widow] goes forth [without levirate rites] on the count of being the sister of [his] wife.
	TT	D	And so two deaf-mutes.
	II	E	An adult and a minor
		F	the husband of the minor died—
	TTT	G	the minor goes forth on grounds of being the sister of his wife.
	III	H	[If] the husband of the adult died, B. Eliozar gauge "They instruct the minor to everying the right of refusal against him.
		I	R. Eliezer says, "They instruct the minor to exercise the right of refusal against him [the surviving brother, her husband]."
		J	Rabban Gamaliel says, "If she exercises the right of refusal, she exercises the right of refusal [without instruction, and it is valid].
		K	"But if not, let her wait until she reaches maturity. Then the other one goes forth on grounds of being the sister of [his] wife."
		L	R. Joshua says, "Woe to the man on account of his wife, and woe to the man on account of the wife of his brother!
		М	"He puts away his wife with a writ of divorce, and the wife of his brother with a rite of <i>halisah</i> ."
13:8	Ι	А	He who was married to two minor orphans and who died
		В	The act of sexual relations or the performance of the rite of <i>halisah on</i> the part of one of them exempts her co-wife.
		С	And so two deaf-mutes.
	II	D	A minor and a deaf-mute—
		Е	the act of sexual relations on the part of one of them does not exempt her co-wife.
	III	F	A woman of sound senses and a deaf-mute—
		G	the act of sexual relations of the woman of sound senses exempts the deaf-mute.
		Η	But the act of the sexual relations of the deaf-mute does not exempt the woman of sound senses.
	IV	Ι	An adult and a minor—
		J	the act of sexual relations of the adult exempts the minor.
		K	But the act of sexual relations of the minor does not exempt the adult.
13:9	Ι	A	He who was married to two [unrelated] minor orphans and who died
		В	he levir came and had sexual relations with the first, and then he came and had sexual relations with the second—
		С	or another brother came and had sexual relations with the second—
		D	he has not invalidated the first [from marriage with him].
		E	And so in the case of two deaf-mutes.
	II	F	A minor and a deaf-mute—
		G	the levir came and had sexual relations with the minor, and then he came and had sexual relations with the deaf-mute—
		Н	or another brother came and had sexual relations with the minor—
		Ι	he has not [B. Yeb. 111b; he <i>has]</i> invalidated the minor.

- III J [If] the levir came and had sexual relations with the deaf-mute, and then went and had sexual relations with the minor,
  - K or another brother came and had sexual relations with the minor—
  - L he has invalidated the deaf-mute.

### 13:10 IV A A woman of sound senses and a deaf-mute—

- B the levir came and had sexual relations with the woman of sound senses, then went and had sexual relations with the deaf-mute—
- C or another brother came and had sexual relations with the deaf-mute—
- D he has not invalidated the woman of sound senses.
- V E [If] the levir came and had sexual relations with the deaf-mute, and then went and had sexual relations with the woman of sound senses,
  - F or another brother came and had sexual relations with the deaf-mute
  - G he has invalidated the deaf-mute.

### **13:11** VI A An adult and a minor—

- B the levir came and had sexual relations with the adult, and then went and had sexual relations with the minor—
- C or another brother came and had sexual relations with the minor—
- D he has not invalidated the adult.
- VII E [If] the levir came and had sexual relations with the minor, and then came and had sexual relations with the adult—
  - F or another brother came and had sexual relations with the adult—
  - G he has invalidated the minor.
  - H R. Eleazar says, "They instruct the minor to exercise the right of refusal against him."

# **13:12** A A minor levir who had sexual relations with a minor widow [of a deceased, childless brother]—

- B they should grow up with one another.
- C [If a minor levir] had sexual relations with an adult widow, she should raise him.
- D The deceased childless brother's widow who claimed within thirty days, "I have not yet had sexual relations [with my levir]"—
- E they force the levir to perform the rite of *halisah* with her.
- F [If she so claimed] after the thirty days,
- G they request from him that he perform the rite of *halisah* for her.
- H So long as he admits [her claim] even after twelve months, they force him to perform the rite of *halisah* for her.
- **13:13** A She who vows against deriving benefit from her levir—
  - B [if she does so] while her husband is yet alive,
  - C they force him [the levir, after the husband dies without offspring] to perform the rite of *halisah* with her.
  - D [If she so vows] after her husband's death, they request from him that he perform the rite of *halisah* for her.
  - E And if that was her very intention, even [if she took the vow] while her husband was yet alive,
  - F they request him to perform the rite of *halisah* for her.

- 14:1 I A A deaf-mute who married a woman of sound senses—
  - B or a man of sound senses who married a deaf-mute—
  - C if he wanted, he puts her away.
  - D And if he wanted, he confirms the marriage.
  - E Just as he marries her by means of sign language, so he puts her away by means of sign language.
  - II F A man of sound senses who married a woman of sound senses, and the woman became a deaf-mute—
    - G if he wanted, he puts her away.
    - H And if he wanted, he confirms the marriage.
    - I [If] she became an idiot, he may not put her away.
    - J [If] he was made a deaf-mute or became an idiot, he may never put her away.
    - K Said R. Yohanan b. Nuri, "On what account does a woman who became a deafmute go forth, but a man who became a deaf-mute does not put away [his wife by a writ of divorce]?"
      - L They said to him [to Yohanan b. Nuri], "The man who divorces his wife is not equivalent to a woman who receives a divorce.
      - M "For a woman goes forth willingly or unwillingly.
      - N "But a man puts his wife away only willingly."
- 14:2 A R. Yohanan b. Gudgeda testified concerning a deaf-mute whose father married her off,
  - B that she goes forth with a writ of divorce.
    - C They said to him [to Yohanan b. Nuri], "This too follows the same rule."
- **14:3** I A Two deaf-mute brothers married to two deaf-mute sisters—
  - II B or two sisters of sound senses—
    - III C or two sisters, one a deaf-mute and the other of sound senses—
    - I D or two deaf-mute sisters married to two brothers of sound senses—
    - II E or to two deaf-mute brothers,
    - III F or to two brothers, one a deaf-mute and one of sound senses—
      - G lo, these women are exempt from the rite of *halisah* and levirate marriage.
      - H But if they were unrelated to one another,
      - I they enter into marriage.
      - J And if they [the men in the several cases] wanted to put them away, they do put them away [M. 14:1E].

### **14:4** I A Two brothers—

III

- B one deaf-mute and the other of sound senses [M. 14:3F]—
- C married to two sisters of sound senses—
- D the deaf-mute, husband of a sister of sound senses, died—
- E what should the husband of sound senses who is married to the sister of sound senses do?
- F She [the deceased childless brother's widow] should go forth on the grounds of being the sister of his wife.
- II G [If] the husband of sound senses of a sister of sound senses died,
  - H what should the deaf-mute who is husband of the sister of sound senses do?
  - I He should put away his wife with a writ of divorce, and the wife of his brother is prohibited [for marriage to anybody at all] for all time.

III	J	Two brothers of sound senses married to two sisters, one of them a deaf-mute and one of them of sound senses
	17	[M. 14:3C]—
	K	the husband of sound senses married to the deaf-mute died—
	L	what should the husband of sound senses married to the wife of sound senses do?
	M	She [the widow] should go forth on grounds of being the sister of his wife.
IV	Ν	If the husband of sound senses married to the wife of sound senses should die, what should the husband of sound senses married to the deaf-mute do?
	0	He puts away his wife with a writ of divorce, and the wife of his brother with a rite of <i>halisah</i> .
V	Р	Two brothers, one of them a deaf-mute and one of sound senses [M. 14:3F],
		married to two sisters, one of them a deaf-mute and one of sound senses [M. 14:3C]—
	Q	[If] the deaf-mute husband married to the deaf-mute wife should die, what should
		the husband of sound senses married to the sister of sound senses do?
	R	She [the widow] should go forth because of being the sister of his wife.
VI	S	[If] the husband of sound senses married to the, wife of sound senses should die,
		what should the deaf-mute husband married to the deaf-mute sister do?
	Т	He puts away his wife with a writ of divorce, and the wife of his brother is
		prohibited [to remarry] for all time.
VII	U	Two brothers, one a deaf-mute and one of sound senses [M. 14:3F], married to two
		women, not related to one another, of sound senses [M. 14:3H]—
	V	[if] the deaf-mute husband of the woman of sound senses should die, what should
		the husband of sound senses married to the woman of sound senses do?
	W	He either performs the rite of <i>halisah</i> or takes the widow in levirate marriage.
VIII	Х	If the husband of sound senses of the woman of sound senses should die, what
		should the deaf-mute husband of the woman of sound senses do?
	Y	He marries [the widow] and does not put her away for all time.
IX	Ζ	Two brothers of sound senses married to two women unrelated to one another, one
		of sound senses and one a deaf-mute [M. 14:3C + H]
	AA	[If] the husband of sound senses married to the deaf-mute dies, what should the
		husband of sound senses married to the woman of sound senses do?
	BB	He should marry her, and if he wants to put her away, he puts her away.
Х	CC	[If] the husband of sound senses married to the woman of sound senses should die,
		what should the husband of sound senses married to the deaf-mute woman do?
	DD	He either performs the rite of <i>halisah</i> or enters into levirate marriage.
XI	EE	Two brothers, one a deaf-mute and one of sound senses [M. 14:3F], married to two women unrelated to one another, one a deaf-mute and one of sound senses [M. $14:3C + H$ ]—
	FF	[if] the deaf-mute married to the deaf-mute woman should die, what should the husband of sound senses married to the woman of sound senses do?
	GG	He should marry the widow, but if he wants to put her away, he puts her away.
XII	HH	If the husband of sound senses married to the woman of sound senses should die,
		what should the deaf-mute man married to the deaf-mute woman do?
	II	He marries her and does not put her away for all time.
А	The w	voman who went, she and her husband, overseas—
р	.1	

- there was peace between her and him, and the world was at peace— and she came and said, "My husband died"— В
  - С

15:1

- D she may remarry.
- E "My husband died"—
- F she may enter into levirate marriage.
- G [If] there was peace between her and him but war in the world—
- H strife between him and her, but the world was at peace—
- I and she came and said, "My husband died"—
- J she is not believed.
- K R. Judah says, "Under no circumstances is she believed unless she came in tears, with her garments torn [as a sign of mourning]."
- L They said to him, "All the same [are one who cries, wearing torn garments, and one who does not cry, wearing neat garments]—she may remarry [under the stated circumstances]."
- **15:2** A The House of Hillel say, "We have heard [that the woman's testimony concerning the death of her husband is accepted] only in a case in which she comes back from the grain harvest and is in the same territory.

"And [these facts are in accord with] a case which actually took place."

- B Said to them the House of Shammai, "All the same are one who comes home from the grain harvest, and the one who comes home from harvesting olives, and one who comes from cutting grapes, and one who comes home from one province to another.
- C "Sages spoke about the grain harvest only because that is commonplace."
- D The House of Hillel reverted and taught the law in accord with the opinion of the House of Shammai.
- **15:3** A The House of Shammai say, "She [who testifies that her husband has died] remarries and collects her marriage contract [in the case of M. 15:1A-F]."
  - B And the House of Hillel say, "She remarries but does not collect her marriage contract."
  - C The House of Shammai said to them, "You have permitted [her to remarry], that is [releasing], the strict prohibition concerning sexual relations. Will you not permit [her to collect her marriage contract], that is [invoking] the lenient rule concerning money?"
  - D The House of Hillel said to them, "We find [in the law] that brothers in any event do not inherit the estate on the basis of her testimony [since two witnesses are required, Dt. 19:15]."
  - E The House of Shammai said to them, "But shall we not learn from the document of her marriage contract which he writes over to her: 'If you are married to someone else, you [also] may collect what is herein promised in writing for you?' "
  - F The House of Hillel reverted and taught the law in accord with the opinion of the House of Shammai.
- A All are believed to testify in her behalf [that her husband has died], except for (1) her mother-in-law, (2) the daughter of her mother-in-law, (3) her co-wife, (4) her sister-in-law [who will enter levirate marriage in case the husband has died childless], (5) and the daughter of her husband [by another marriage].
  - B What is the difference between evidence for [severing a marital relationship] through a writ of divorce and [evidence for doing so] through death?
  - C The written document [of divorce] proves the matter.
  - I D [If] one witness says, "He died," and she remarried, and then another witness comes and says, "He did not die," lo, this woman does not go forth [from the second marriage].

	II	Е	[If] one witness says, "He died," and two witnesses say, "He did not die," then even though she has remarried, she goes forth.
	III	F	Two witnesses say, "He died," and one witness says, "He did not die," even though she has not remarried, she may remarry.
15:5	Ι	А	[If] one woman [co-wife] says, "He died," and one [co-wife] says, "He did not die," this one who says, "He died," may remarry and collect her marriage contract, and that one who says, "He did not die," may not remarry and may not collect her marriage contract.
	II	В	[If] one woman says, "He died," and one says, "He was killed,"—
		С	R. Meir says, "Since they contradict one another [in details of their testimony], lo, these women may not remarry."
		D	R. Judah and R. Simeon say, "Since this one and that one are in agreement that he is not alive, they may remarry."
	III	E	[If] one witness says, "He has died," and one witness says, "He has not died,"
		F	[or] a woman says, "He has died," and a woman says, "He has not died"—
		G	lo, this woman may not remarry.
15:6		А	A woman who went, she and her husband, overseas,
		В	and came and said, "My husband has died,"
		С	remarries and collects her marriage contract [M. 15:3].
		D	And her co-wife is prohibited [from remarrying, for a woman is not believed concerning the death of her husband so as to free her co-wife from the marital tie, as at M. 15:4].
	Ι	E	[If] she [the co-wife] was an Israelite girl married to a priest,
		F	"she continues to eat heave offering," the words of R. Tarfon.
		G	R. Aqiba says, "This is not the way to remove her from the toils of transgression, unless she is both prohibited from remarrying and prohibited from eating heave offering."
15:7	II	А	[If] she said, "My husband died and afterward my father-in-law died," she may remarry and collect her marriage contract.
		В	But her mother-in-law is prohibited [from doing so].
		С	[If] she [the mother-in-law] was a priest girl married to a priest, "she continues to eat heave offering," the words of R. Tarfon.
		D	R. Aqiba says, "This is not the way to remove her from the toils of transgression, unless she is both prohibited from remarrying and prohibited from eating heave offering."
	III	Ε	[If] a man betrothed one of five girls and it is not known which one of them he betrothed,
		F	[and] each one of them says, "Me did he betroth"—
		G	he gives a writ of divorce to each one of them.
		Н	"But he leaves the marriage contract among them, and takes his leave," the words of R. Tarfon.
		Ι	R. Aqiba says, "This is not the way to remove him from the toils of transgression, "unless he gives a writ of divorce and pays off the marriage contract to each and every one of them."
	IV	J	[If] one stole from one of five men and does not know from which one of them he stole,

		Κ	[and] each one of them says, "From me did he steal,"		
		L	"he leaves that which he stole among them and takes his leave," the words of R.		
			Tarfon.		
		Μ	R. Aqiba says, "This is not the way to remove him from the toils of transgression, "unless he pays the value of that which was stolen to each and every one of them."		
15:8	Ι	А	The woman who went, she and her husband, overseas,		
		В	and her son was with them—		
		C	and she came and said, "My husband died, and afterward my son died"		
		D	is believed.		
		E F	[If she said], "My son died, and afterward my husband died," she is not believed.		
		Г	But they scruple on account of her testimony, so that she performs the rite of <i>halisah</i> , but she does not enter into levirate marriage.		
15:9	II	A	"A son was given unto me overseas," and, she said, "My son died, and then my husband died,"		
		B	she is believed.		
		C	"My husband died and afterward my son died,"—she is not believed.		
		D	But they scruple on account of her testimony, so that she performs the rite of <i>halisah</i> , but she does not enter into levirate marriage.		
15:10	III	А	"A levirate brother-in-law was given unto me overseas," and, she said, "My husband died, and afterward my levirate brother-in-law died,"—		
		В	"My levitate brother-in-law died and afterward my husband died"-		
		С	she is believed.		
		D	[If] she went, she and her husband and her levirate brother-in-law, overseas,		
		E	and she said, "My husband died and afterward my levirate brother-in-law died"— "My levirate brother-in-law died and afterward my husband died:		
		F	she is not believed.		
		G	For a woman is not believed to testify, "My levirate brother-in-law has died," so that she may remarry.		
		Η	Nor is she believed to testify, "My sister has died," so that she may enter into his [her brother-in-law's] house.		
		Ι	And a man is not believed to say, "My brother has died," so that he may enter into		
		J	levirate marriage with his [the brother's] wife. [Nor is he believed to testify,] "My wife died," so that he may marry her sister.		
16:1	A		oman whose husband and co-wife went overseas and they came and said to her, "Your		
	р		nd has died," should not remarry [without <i>halisah</i> ] or enter into levirate marriage,		
	B C		she ascertains whether her co-wife is pregnant.		
	C	[If] she had a mother-in-law, [however] she does not have to scruple concerning her [the mother-in-law's possible pregnancy, which may bring forth a levir, on whom she then would have to wait].			
	D	[And if] she [the mother-in-law] went away full [of child], she must scruple [concerning her].			
	E	-	shua says, "She does not have to scruple [concerning her]."		
16:2		А	Two sisters-in-law [wives of two brothers]—		

B this one says, "My husband died,"

Ι

Π

- C and that one says, "My husband died"—
- D this one is prohibited on account of the husband of that one [to whom she is bound in a levirate connection], and that one is prohibited on account of the husband of this one.
- E [If] this one has witnesses [who testify independently that the husband has died], and that one does not have witnesses—
  - F the one who has witnesses is prohibited.
  - G And the one who does not have witnesses is permitted.
- II H [If] this one [of A] has children and that one does not have children, the one who has children is permitted, and the one who does not have children is prohibited.
- III I [If] they entered into levirate marriage and the levirs died,
  - J they are prohibited from remarrying.
    - K R. Eleazar says, "Since they were permitted to marry the levirs [who then died], they are permitted to marry anyone [thereafter]."
- **16:3** I A They derive testimony [concerning the identity of a corpse] only from the appearance of the whole face with the nose,
  - B even though there are signs of the corpse's identity on his body or garments.
  - C They derive testimony [that a man has died] only after he has actually died [and has been seen dead],
    - D and even if they [the witnesses] saw him mortally wounded, crucified, or being eaten by a wild beast.
  - III E They give testimony [about the identity of a corpse] only during a period of three days [after death].
    - F R. Judah b. Baba says, "[Decay in corpses] is not alike for all men, all places, and all times."
- **16:4** A [If] he fell into a body of water, whether within sight of shore or not within sight of shore—
  - B his wife is prohibited [until the corpse turns up].
  - C Said R. Meir, *M'SH B*: "A certain person fell into a large cistern, and came up [alive] after three days."
  - D Said R. Yose, *M'SH B*: "A blind man went down to immerse in a cave, and his guide went down after him, and they stayed [in the water] long enough to drown,
  - E "and they [the sages] permitted their wives to marry."
  - F WSWB *M'SH B*: "A certain man in Asya was let down by a rope into the sea, and they drew back up only his leg.
  - G "Sages said, 'If [the recovered part included] from the knee and above, [his wife] may remarry. [If] the recovered part included only from the knee and below, she may not remarry."
- **16:5** A Even if one heard the women saying, "So-and-so has died," it is sufficient [for him to go and testify in court that so-and-so has died].
  - B R. Judah says, "Even if he heard children saying, 'Lo, we're on our way to lament and bury Mr. So-and-so, ' [that suffices],
  - C "whether one intended or did not intend [to give testimony]."
  - D R. Judah b. Baba says, "In the case of an Israelite, this is valid only if he intended to give testimony.

- E "And in the case of a gentile, if he intended to give testimony, his testimony is not valid."
- **16:6** A They give testimony [about the identity of a corpse which they have seen] by the light of a candle or by the light of the moon.
  - B And they permit a woman to remarry on the evidence of an echo [which is heard to say that her husband has died].
  - C *M'SH B*: A certain person stood on top of a mountain and said, "Mr. So-and-so, the son of so-and-so, of such-and-such a place, has died."
  - D And they went but did not find anyone there.
  - E And they [nonetheless] permitted his wife to remarry.
  - F SWB *M'SH B*: In Salmon, a certain person said, "I am Mr. So-and-so, the son of Mr. Soand-so. A snake has bitten me, and lo, I am dying."
  - G And they went, and while they did not recognize him, they permitted his wife to remarry.
- **16:7** A Said R. Aqiba, "When I went down to Nehardea to intercalate the year, Nehemiah of Bet Deli came upon me. He said to me, 'I heard that only R. Judah b. Baba permits a wife in the Land of Israel to remarry on the evidence of a single witness [to her husband's death].'
  - B "I stated to him, 'That is indeed so.'
  - C "He said to me, 'Tell them in my name—
  - D "You know that the country is alive with ravaging bands,—
  - E "'I have a tradition from Rabban Gamaliel the Elder that:
  - F "'They permit a wife to remarry on the testimony of a single witness [to her husband's death].'
  - G "And when I came and laid the matters out before Rabban Gamaliel, he was overjoyed at my report and said, "We now have found a pair for R. Judah b. Baba.'
  - H "And in the same discourse Rabban Gamaliel recalled that men were slain at Tel Arza, and Rabban Gamaliel the Elder permitted their wives to remarry on the evidence of a single witness."
  - I And they confirmed in the practice of permitting [the wife to] remarry
    - (1) on the evidence of a single witness,
    - (2) on the evidence of a slave,
    - (3) on the evidence of a woman,
    - (4) on the evidence of a slave girl.
  - J R. Eliezer and R. Joshua say, "They do not permit a woman to remarry on the evidence of a single witness."
  - K R. Aqiba says, "Not on the evidence of a woman [vs. I3], nor on the evidence of a slave [I2], nor on the evidence of a slave girl [I4], nor on the evidence of relatives."
  - L They said to him, *M'SH B*: "The Levites went to Soar, the date town, and one of them got sick on the road, and they left him in an inn.
  - M "And upon their return, they said to the inn hostess, 'Where is our buddy?"
  - N "She said to them, 'He died, and I buried him.'
  - O "And they permitted his wife to remarry [on the strength of her evidence]."
  - P They said to him, "And should not a priest girl be equivalent to an inn hostess?"
  - Q He said to them, "When she [the priest girl] will be an inn hostess, she will be believed.
  - R "The inn hostess had produced for them his staff, his pouch, and the Torah scroll which he had had in hand."

## KETUBOT

- **1:1** A A virgin is married on Wednesday, and a widow on Thursday.
  - B For twice weekly are the courts in session in the towns, on Monday and on Thursday.
  - C So if he [the husband] had a complaint as to virginity, he goes early to court.
  - 2 A A virgin—her marriage contract is two hundred [*zuz*].
    - B And a widow, a *maneh* [one hundred *zuz*].
    - I C A virgin, widow, divorcée, and one who has severed the levirate connection through a rite of *halisah* 
      - D at the stage of betrothal—
      - E their marriage contract is two hundred [*zuz*].
      - F And they are subject to the claim against their virginity.
      - G A convert, a woman taken captive, and a slave girl who were redeemed or who converted or who were freed at an age of less than three years and one day—
        - H their marriage contract is two hundred [*zuz*].
        - I And they are subject to the claim against their virginity.
- **1:3** A An adult male who had sexual relations with a minor female,
  - B and a minor male who had sexual relations with an adult female,
  - C "and a girl injured by a blow [so that her signs of virginity are destroyed]—
  - D "their marriage contract is two hundred *zuz*," the words of R. Meir.
  - E And sages say, "The girl injured by a blow—her marriage contract is a maneh."
- **1:4** III A A virgin, a widow, a divorcée, or one who has severed the levirate connection through a rite of *halisah*
  - B at the stage of consummation of the marriage—
  - C their marriage contract is a *maneh*.
  - D And they are not subject to a claim against their virginity.
  - IV E A convert, a girl taken captive, or a slave girl who were redeemed, or who converted, or who were freed at an age older than three years and one day—
    - F their marriage contract is a *maneh*.
    - G And they are not subject to a claim against their virginity.
- **1:5** A He who lives with ["eats"] his father-in-law in Judah,
  - B not with witnesses,
  - C cannot lodge a claim against the girl's virginity,
  - D for he has been alone with her.
  - E All the same are the widow of an Israelite and the widow of a priest—
  - F their marriage contract is a *maneh* [a hundred *zuz*].
  - G The priests' court would collect four hundred *zuz* for a virgin.
  - H And sages did not stop them.
- **1:6** I A He who marries a woman and did not find tokens of virginity—
  - B she says, "After you betrothed me, I was raped, and your field has been flooded,"
  - C and he says, "Not so, but it was before I betrothed you, and my purchase was a bargain made in error"—

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		D E	<ul><li>Rabban Gamaliel and R. Eliezer say, "She is believed."</li><li>R. Joshua says, "We do not depend on her testimony. But lo, she remains in the assumption of having had sexual relations before she was betrothed and of having deceived him,</li></ul>
		F	"until she brings evidence to back up her [contrary] claim."
1:7	II	А	She says, "I was injured by a piece of wood,"
		В	and he says, "Not so, but you have been laid by a man"—
		С	Rabban Gamaliel and R. Eliezer say, "She is believed."
		D	And R. Joshua says, "We do not depend on her testimony. But lo, she remains in
			the assumption of having been laid by a man,
		Е	"until she brings evidence to back up her claim."
1:8	III	А	[If] they saw her [sexually] conversing with a man in the market,
		В	[and] they said to her, "What is the character of this one?"
		С	[and she said,] "It is Mr. So-and-so, and he is a priest"—
		D	Rabban Gamaliel and R. Eliezer say, "She is believed."
		E	And R. Joshua says, "We do not depend on her testimony. But lo, she remains in
		-	the assumption of having had sexual relations with a <i>Netin</i> or a <i>mamzer</i> ,
		F	"until she brings evidence to back up her claim."
1:9	IV	А	[If] she was pregnant, and they said to her, "What is the character of this foetus?"
		В	[and she said,] "It is by Mr. So-and-so, and he is a priest"—
		С	Rabban Gamaliel and R. Eliezer say, "She is believed."
		D	And R. Joshua says, "We do not depend on her testimony. But lo, she remains in
			the assumption of having been made pregnant by a Netin or a mamzer,
		E	"until she brings evidence to back up her claim."
1:10			se, <i>M'SH B</i> : "A girl went down to draw water from the well and was raped.
	В		ed R. Yohanan b. Nuri, 'If most of the men of the town marry off their daughters to riesthood, lo, she may be married into the priesthood.' "
2:1	А		woman who was widowed or divorced—
	В		ays, "You married me as a virgin"—
	С		ne says, "Not so, but I married you as a widow"—
	D	flow	ere are witnesses that [when she got married], she went forth to music, with her hair ing loose,
	Е		narriage contract is two hundred.
	F		ohanan b. Beroqah says, "Also: passing out parched corn is proof [of her status as a n when she was married]."
2:2	А		R. Joshua concedes in the case of him who says to his fellow, "This field belonged to father, and I bought it from him,"
	В	2	he is believed.
	Ċ		he mouth which prohibited is the mouth which permitted.
	D	And	if there are [other] witnesses that it had belonged to his father, and he claims, "I ght it from him," he is not believed.

**2:3** I A The witnesses who said, "This is our handwriting, but we were forced [to sign]," "We were minors,"

"We were invalid [as relatives] for testimony,"-

- B lo, these are believed, [and the writ is invalid].
- C But if there are witnesses that it is their handwriting, or if their handwriting was available from some other source, they are not believed.
- 2:4 II A This one says, "This is my handwriting, and this is the handwriting of my fellow," B and this one says, "This is my handwriting, and this is the handwriting of my fellow"—
  - C lo, these are believed.
  - III D "This one says, 'This is my handwriting, ' and this one says, 'This is my handwriting'—
    - E "they have to add another to them [so each signature is confirmed by two witnesses]," the words of Rabbi.
    - F And sages say, "They do not have to add another to them.
    - G "But: A man is believed to say, 'This is my handwriting.' "
- **2:5** A The woman who said, "I was married, and I am divorced" is believed.
  - B For the mouth which prohibited is the mouth which permitted.
  - C But if there are witnesses that she was married, and she says, "I am divorced,"
  - D she is not believed.
  - E [If] she said "I was taken captive, but I am pure," she is believed.
  - F For the mouth which prohibited is the mouth which permitted.
  - G But if there are witnesses to the fact that she was taken captive, and she says, "I am pure,"
  - H she is not believed.
  - I But if the witnesses appeared [to testify that she was taken captive] after she was remarried, lo, this one should not go forth.
- **2:6** A Two women who were taken captive—
  - B this one says, "I was taken captive, but I am pure,"
  - C and that one says, "I was taken captive, but I am pure"—
  - D they are not believed.
  - E And when they give evidence about one another, lo, they are believed.
- **2:7** A And so two men—
  - B this one says, "I am a priest,"
  - C and that one says, "I am a priest"—
  - D they are not believed.
  - E But when they give evidence about one another, lo, they are believed.
- **2:8** A R. Judah says, "They do not raise someone to the priesthood on the evidence of a single witness [vs. 2:7E]."
  - B Said R. Eleazar, "Under what circumstances [A]? When there are those who raise doubt about the matter. But when there is none who raises doubt about the matter, they do raise someone to the priesthood on the evidence of a single witness."
  - C Rabban Simeon b. Gamaliel says in the name of R. Simeon, son of the Prefect, "They raise someone to the priesthood on the evidence of a single witness."

- **2:9** A The woman who was taken prisoner by gentiles—
  - B [if it was] for an offence concerning property, she is permitted [to return] to her husband.
  - C [If it was for] a capital offense, she is prohibited to her husband.
  - D A city which was overcome by siege—all the priest girls found therein are invalid [to return to their husbands].
  - E But if they have witnesses, even a man slave or a girl slave, lo, they are believed.
  - F But a person is not believed to testify in his own behalf.
  - G Said R. Zekhariah b. Haqqasab, "By this sanctuary! Her hand did not move from mine from the time that the gentiles entered Jerusalem until they left it."
  - H Said they to him, "A person cannot give testimony in his own behalf."
- **2:10** A And these are believed to give testimony when they reach maturity about what they saw when they were minors:
  - B A man is believed to say, (1) "This is the handwriting of father," and (2) "This is the handwriting of Rabbi," and, (3) "This is the handwriting of my brother"—
  - C (4) "I remember about Mrs. So-and-so that she went forth to music with her hair flowing loose [when she was married]" [M. 2:1]—
  - D (5) "I remember that Mr. So-and-so would go forth from school to immerse to eat heave offering," (6) "That he would take a share [of heave offering] with us at the threshing floor"—
  - E (7) "This place is a grave area"—
  - F (8) "Up to here did we walk on the Sabbath."
  - G But a man is not believed to say, (9) "Mr. So-and-so had a right of way in this place," (10) "So-and-so had the right of halting and holding a lamentation in this place."
- **3:1** A These are the girls [invalid for marriage to an Israelite] who [nonetheless] receive a fine [from the man who seduces them]:
  - B He who has sexual relations with (1) *a mamzer* girl, (2) a *Netin* girl, or (3) a Samaritan girl;
  - C he who has sexual relations with (4) a convert girl, and with (5) a girl taken captive, and (6) a slave girl who were redeemed, who converted, or who were freed [respectively] when they were at an age of less than three years and one day [and who remain in the status of virgins];
  - D he who has sexual relations with (7) his sister, and with (8) the sister of his father, and with (9) the sister of his mother, and with (10) his wife's sister, and with (11) the wife of his brother, and with (12) the wife of the brother of his father, and with (13) the menstruating woman—
  - E they receive a fine [from the man who seduces them].
  - F Even though [sexual relations with] them are subject to extirpation,
  - G one does not incur through them the death penalty at the hands of an earthly court.
- **3:2** A And these do not receive a fine [from the man who seduces them]:
  - B (1) He who has sexual relations with (1) a convert, (2) a girl taken captive, or (3) a slave girl, who was redeemed, or who converted, or who was freed, at an age of more than three years and one day—
  - C (R. Judah says, "A girl taken captive who was redeemed, lo, she remains in her condition of sanctity, even though she is an adult")—

- D he who has sexual relations with (4) his daughter, (5) his daughter's daughter, (6) with the daughter of his son, (7) with the daughter of his wife, (8) with the daughter of her son, (9) with the daughter of her daughter—
- E they do not receive a fine [from the man who seduces them],
- F for he incurs the death penalty.
- G For the death penalty inflicted upon him is at the hands of an earthly court,
- H and whoever incurs the death penalty [at the hands of an earthly court] does not pay out a financial penalty [in addition], since it says, *If no damage befall, he shall surely be fined* (Ex. 21:22).
- **3:3** A A girl who was betrothed and then divorced—
  - B R. Yose the Galilean says, "She does not receive a fine [from the man who raped or seduced her]."
  - C R. Aqiba says, "She does receive a fine,
  - D "and the fine belongs to her."
- **3:4** A The one who seduces a girl pays on three counts, and the one who rapes a girl pays on four:
  - B the one who seduces a girl pays for (1) the shame, (2) the damage, and (3) a fine,
  - C and the one who rapes a girl adds to these,
  - D for he in addition pays for (4) the pain [which he has inflicted].
  - E What is the difference between the one who rapes a girl and the one who seduces her?
  - F (1) The one who rapes a girl pays for the pain, and the one who seduces her does not pay for the pain.
  - G (2) The one who rapes a girl pays the financial penalties forthwith, but the one who seduces her pays the penalties when he puts her away.
  - H (3) The one who rapes the girl [forever after] drinks out of his earthen pot, but the one who seduces her, if he wanted to put her away, does put her away.
- **3:5** A How does he "drink from his earthen pot"?
  - B Even if she is lame, even if she is blind, and even if she is afflicted with boils, [he must remain married to her].
  - C [If] a matter of unchastity turned out to pertain to her, or if she is not appropriate to enter into the Israelite congregation, he is not permitted to confirm her as his wife [but, if he has married her, he must divorce her], ,
  - D since it is said, And she will be a wife to him (Dt. 21:29)—a wife appropriate for him.
- **3:6** A An orphan who was betrothed and divorced—
  - B R. Eleazar says, "He who seduces her is exempt [from paying a fine], but he who rapes her is liable."
- **3:7** A What is the [mode of assessing compensation for] shame?
  - B All [is assessed] in accord with the status of the one who shames and the one who is shamed.
  - C [How is the compensation for] damage [assessed]?
  - D They regard her as if she is a slave girl for sale: How much was she worth [before the sexual incident], and how much is she worth now.
  - E The fine?

- F It is the same for every person [fifty *selas*, Dt. 21:29].
- G And any [fine] which is subject to a fixed amount by the Torah is equivalent for every person.
- **3:8** A In any situation in which there is a right of sale, there is no fine. And in any situation in which there is a fine, there is no right of sale.
  - B A minor girl is subject to sale and does not receive a fine.
  - C A girl receives a fine and is not subject to sale.
  - D A mature woman is not subject to sale and [does] not [receive] a fine.
- **3:9** A He who says, "I seduced Mr. So-and-so's daughter" pays the penalties of shame and damage on the basis of his own testimony.
  - B But he does not pay a fine.
  - I C He who says, "I stole and I slaughtered and sold [an animal belonging to so-andso]," pays back the principal on the basis of his own testimony, but he does not pay double damages or four- or fivefold damages.
  - II D [If he says], "My ox killed so-and-so," or "the ox of so-and-so," lo, this one pays on the basis of his own testimony.
  - III E [If he says], "My ox killed so-and-so's slave," he does not pay on the basis of his own evidence.
    - F This is the general principle: Whoever pays compensation greater than the damage he has actually done does not pay said damages on the basis of his own testimony [alone and cannot be assessed for such damages].
- 4:1 A A girl [twelve to twelve-and-a-half years of age] who was seduced
  - B [the financial penalties] for her shame, damage, and fine belong to her father,
    - C and the [compensation for] pain in the case of a girl who was seized [(Dt. 21:28) and raped, also belongs to the father].
    - D [If] she won in court before her father died, lo, they [the funds] belong to the father.
    - E [If] the father [then] died, lo, they belong to the brothers.
    - F [If] she did not suffice to win her case in court before the father died,
    - G lo, they are hers.
    - H [If] she won her case in court before she matured [at the age of twelve years and six months], lo, they belong to the father.
    - I [If] the father died, lo, they belong to the brothers.
    - J [If] she did not suffice to win her case in court before the father died,
    - K lo, they are hers.
    - L R. Simeon says, "If she did not succeed in collecting the funds before the father died, lo, they are hers."
    - M [As to] the fruit of her labor and the things which she finds,
    - N even though she did not collect [her wages]—
    - O [if] the father died,
    - P lo, they belong to the brothers.
- **4:2** A He who betrothes his daughter, and he [the husband] divorced her,
  - B [and] he [the father] betrothed her [to someone else], and she was widowed—
  - C her marriage contract [in both instances] belongs to him [the father].
  - D [If] he [the father] married her off, [however], and he [the husband] divorced her,

- E he [the father] married her off, and she was widowed—
- F her marriage contract belongs to her.

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- G R. Judah says, "The first [marriage contract's payoff] belongs to the father."
- H They said to him, "Once he has [actually] married her off [not merely betrothed her], the father has no domain over her."
- **4:3** I A The convert whose daughter converted with her,
  - B and she [the daughter] committed an act of fornication [when she was a betrothed girl]—
  - C lo, this one is put to death through strangling.
  - D She is not subject to the rule, *At the door of her father's house* (Dt. 21:21), nor to *a hundred selas* (Dt. 21:19, in the case of one who slandered her).
  - E [If] her conception was not in a state of sanctity but her parturition was in a state of sanctity, lo, this one is put to death with stoning.
    - F She is not subject to the rule, *At the door of her father's house*, nor to *a hundred selas*.
  - III G [If] her conception and parturition were in a state of sanctity, lo, she is equivalent to an Israelite girl for every purpose.
    - H [If] she has a father but no *door of her father's house* [her father has no house],
    - I [of if] she has a door of her father's house but no father,
    - J lo, this one is put to death with stoning.
    - K *At the door of her father's house* is stated only as a duty [in addition to stoning].
- **4:4** A The father retains control of his daughter [younger than twelve and a half] as to effecting any of the tokens of betrothal: money, document, or sexual intercourse.
  - B And he retains control of what she finds, of the fruit of her labor, and of abrogating her vows.
  - C And he receives her writ of divorce [from a betrothal]
  - D But he does not dispose of the return [on property received by the girl from her mother] during her lifetime.
  - E [When] she is married, the husband exceeds the father, for he disposes of the return [on property received by the girl from her mother] during her lifetime.
  - F But he is liable to maintain her, and to ransom her, and to bury her.
  - G R. Judah says, "Even the poorest man in Israel should not hire fewer than two flutes and one professional wailing woman."
- **4:5** A For all purposes is she in the domain of the father, until she enters the domain of the husband through marriage.
  - I B [If] the father handed her over to the agents of the husband, lo, she [from that point on] is in the domain of the husband.
  - II C [If] the father went along with the agents of the husband, or [if] the agents of the father went along with the agents of the husband, lo, she is in the domain of the father.
  - III D [If] the agents of the father handed her over to the agents of the husband, lo, she is in the domain of the husband.
- **4:6** A The father [while alive] is not liable for the maintenance of his daughter.

В	This exegesis did R. Eleazar b. Azariah expound before sages in the vineyard of Yabneh,
	"The sons will inherit and the daughters will receive maintenance—

- C "Just as the sons inherit only after the death of the father, so the daughters receive maintenance only after the death of the father."
- **4:7** I A [If] he did not write a marriage contract for her,
  - B the virgin [nonetheless] collects two hundred [*zuz* in the event of divorce or widowhood],
  - C and the widow, a *maneh*,
  - D for this is [in all events] an unstated condition imposed by the court.
  - II E [If] he assigned to her a field worth a *maneh* instead of two hundred *zuz*, and did not write for her, "All property which I have is surety for your marriage contract,"
     F he is nonetheless liable.
    - G for this is [in all events] an unstated condition imposed by the court.
- **4:8** III A [If] he did not write for her, "If you are taken captive, I shall redeem you and bring you back to my side as my wife," or, in the case of a priest girl, "I shall bring you back to your town,"
  - B he is nonetheless liable [to do so],
  - C for this is [in all events] an unstated condition imposed by the court.

**4:9** A [If] she was taken captive, he is liable to redeem her.

- B And if he said, "Lo, here is her writ of divorce and [the funds owing on] her marriage contract, let her redeem herself,"
  - C he has no right to do so.
  - D [If] she fell ill, he is liable to heal her.
  - E [If] he said, "Lo, here is her writ of divorce and [the funds owing on] her marriage contract, let her heal herself," he has the right to do so.
- **4:10** IV A [If] he did not write for her, "Male children which you will have with me will inherit the proceeds of your marriage contract, in addition to their share with their other brothers,"
  - B he nonetheless is liable [to pay over the proceeds of the marriage contract to the woman's sons],
  - C for this is [in all events] an unstated condition imposed by the court.
- **4:11** V A [If he did not write for her,] "Female children which you will have from me will dwell in my house and derive support from my property until they will be married to husbands,"
  - B he nonetheless is liable [to support her daughters],
  - C for this is [in all events] an unstated condition imposed by the court.

## **4:12** VI A [If he did not write for her,] "You will dwell in my house and derive support from my property so long as you are a widow in my house,"

- B [his estate] nonetheless is liable [to support his widow],
- C for this is [in all events] an unstated condition imposed by the court.
- D So did the Jerusalemites write into a marriage contract.
- E The Galileans wrote the marriage contract as did the Jerusalemites.

- F The Judeans wrote into the marriage contract, "Until such time as the heirs will choose to pay off your marriage contract."
- G Therefore if the heirs wanted, they pay off her marriage contract and let her go.
- **5:1** A Even though they have said, "A virgin collects two hundred *zuz* and a widow a *maneh*" [M. 4:7A],
  - B if [the husband] wanted to increase that sum, even by a hundred maneh, he may add to it.
  - C [If] she was widowed or divorced, whether at the stage of betrothal or at the stage of consummated marriage, she collects the full amount.
  - R. Eleazar b. Azariah says, "[If she is widowed or divorced] at the stage of consummated marriage, she collects the full amount.
     "[If it was] at the stage of betrothal, the virgin collects [only] two hundred *zuz*, and the widow, a *maneh*.
  - E "for he wrote over [any additional sum] only on condition of consummating the marriage."
  - F R. Judah says, "If he wants, he writes to a virgin a bond for two hundred, and she writes, 'I have received from you a *maneh*.'
  - G "And to a widow, he writes a bond for a *maneh*, and she writes, 'I have received from you fifty *zuz*."
  - H R. Meir says, "Whoever pays less to a virgin than two hundred *zuz* and to a widow less than a *maneh*, lo, this is fornication."
- **5:2** A They give a virgin twelve months to provide for herself from the time that the husband has demanded her.
  - B And just as they give [a time of preparation] to the woman, so they give a time of preparation to a man to provide for himself.
  - C And to a widow they give thirty days.
  - D [If] the time came and he did not marry her, she in any event is supported by him.
  - E And she eats heave offering [if he is a priest, and she is not].
  - F R. Tarfon says, "They give her all of her support in heave offering.
  - G R. Aqiba says, "Half in unconsecrated produce and half in heave offering."
- **5:3** A The levir cannot feed heave offering [to the sister-in-law who is widowed at the stage of betrothal and is awaiting consummation of the levirate marriage (M. Yeb. 7:4)].
  - B If she had waited six months for the husband [M. 5:2A], and six months awaited the levir,
  - C [or] even if all of them were waiting for the husband but only one day was spent waiting for the levir,
  - D or all of them were awaiting the levir, except one day awaiting the husband,
  - E she does not eat heave offering.
  - F This is the first Mishnah.
  - G The succeeding court ruled: "The woman does not eat heave offering until she enters the marriage canopy."
- **5:4** A He who sanctifies to the Temple the fruits of his wife's labor [her wages], lo, this woman [continues to] work and eat [maintain herself
  - B And the excess—
  - C R. Meir says, "It is consecrated."
  - D R. Yohanan Hassandlar says, "It is unconsecrated."

- **5:5** A These are the kinds of labor which a woman performs for her husband:
  - B she (1) grinds flour, (2) bakes bread, (3) does laundry, (4) prepares meals, (5) feeds her child, (6) makes the bed, (7) works in wool.
  - C [If] she brought with her a single slave girl, she does not (1) grind, (2) bake bread, or (3) do laundry.
  - D [If she brought] two, she does not (4) prepare meals and does (5) not feed her child.
  - E [If she brought] three, she does not (6) make the bed for him and does not (7) work in wool.
  - F If she brought four, she sits on a throne.
  - G R. Eliezer says, "Even if she brought him a hundred slave girls, he forces her to work in wool,
  - H "for idleness leads to unchastity."
  - I Rabban Simeon b. Gamaliel says, "Also: He who prohibits his wife by a vow from performing any labor puts her away and pays off her marriage contract.
  - J "For idleness leads to boredom."
- **5:6** A He who takes a vow not to have sexual relations with his wife—
  - B the House of Shammai say, "[He may allow this situation to continue] for two weeks."
  - C And the House of Hillel say, "For one week."
  - D Disciples go forth for Torah study without [the wife's] consent for thirty days.
  - E Workers go out for one week.
  - F "The sexual duty of which the Torah speaks [Ex. 21:10]: (1) those without work [of independent means]—every day; (2) workers—twice a week; (3) ass drivers—once a week; (4) camel drivers— once in thirty days; (5) sailors—once in six months," the words of R. Eliezer.
- 5:7 A She who rebels against her husband [declining to perform wifely services (M. 5:5)]—
  - B they deduct from her marriage contract seven *denars* a week.
    - C R. Judah says, "Seven tropaics."
    - D How long does one continue to deduct?
    - E Until her entire marriage contract [has been voided].
    - F R. Yose says, "He continues to deduct [even beyond the value of the marriage contract], for an inheritance may come [to her] from some other source, from which he will collect what is due him."
    - G And so is the rule for the man who rebels against his wife [declining to do the husband's duties (M. 5:4)]—
    - H hey add three *denars* a week to her marriage contract.
    - I R. Judah says, "Three tropaics. "
- **5:8** A He who maintains his wife by a third party may not provide for her less than two *qabs* of wheat or four *qabs* of barley [per week].
  - B (Said R. Yose, "Only R. Ishmael ruled that barley may be given to her, for he was near Edom.")
  - C And one pays over to her a half-*qab* of pulse, a half-*log* of oil, and a *qab* of dried figs or a *maneh* of fig cake.
  - D And if he does not have it, he provides instead fruit of some other type.
  - E And he gives her a bed, a cover, and a mat.
  - F And he gives her a cap for her head, and a girdle for her loins, and shoes from one festival season to the next, and clothing worth fifty *zuz* from one year to the next.

- G And they do not give her either new ones in the sunny season or old ones in the rainy season.
- H But they provide for her clothing for fifty *zuz* in the rainy season, and she clothes herself with the remnants in the sunny season.
- I And the rags remain hers.
- **5:9** A He gives her in addition a silver *maah* [a sixth of a *denar*] for her needs [per week].
  - B And she eats with him on the Sabbath by night.
  - C And if he does not give her a silver *maah* for her needs, the fruit of her labor belongs to her.
  - D And how much work does she do for him?
  - E The weight of five *selas* of warp must she spin for him [M. 5:5B7] in Judea (which is ten *selas* weight in Galilee), or the weight of ten *selas* of woof in Judah (which are twenty *selas* in Galilee).
  - F And if she was feeding a child, they take off [the required weight of wool which she must spin as] the fruit of her labor, and they provide more food for her.
  - G Under what circumstances?
  - H In the case of the most poverty-stricken man in Israel.
  - I But in the case of a weightier person, all follows the extent of his capacity [to support his wife].
- **6:1** A What a wife finds and the fruit of her labor go to her husband [M. 4:4].
  - B And as to what comes to her as an inheritance, he has use of the return while she is alive.
  - C [Payments made for] shaming her or injuring her are hers.
  - D R. Judah b. Beterah says, "When [an injury] is done to a hidden [part of her body], to her go two shares, and to him one.
  - E "When [an injury is done] to a part of her body which shows, to him go two shares, and to her one.
  - F "His is paid over forthwith. But with hers, let real estate be purchased, and he [the husband] has the use of the return [on it while she is alive]."
- **6:2** A He who agrees to pay over money [as a dowry] to his son-in-law, and his son-in-law dies—
  - B sages have said, "He can claim, 'To your brother was I willing to give [money], but to you [the levir] I am not willing to give money.' "
- **6:3** A [If a woman] agreed to bring into [the marriage for] him a thousand *denars* [ten *manehs*],
  - B he [the husband] agrees [to pay over in her marriage contract] fifteen ma*nehs* over against this.
  - C And over against the goods [which she agreed to bring in] estimated [to be at a given value], he agrees [to restore, as a condition of her marriage contract] a fifth less.
  - D [That is, if] the estimated value [to be inscribed in the marriage contract] is a *maneh*, and the actual value is [specified at] a *maneh*, he has [value] only for one *maneh* [and not a fifth more in value].
  - E [If] the estimated value [to be inscribed in the marriage contract] is a *maneh* [but not specified at a *maneh*, as at D], she must give over thirty-one *selas* and a *denar* [= 125 *denars* in value of goods].

- F And [if the value to be written into the marriage contract is to be] four hundred, she must give over five hundred.
- G What the husband agrees [to have inscribed in the marriage contract] he agrees to, less a fifth.
- **6:4** A [If] she agreed to bring in to him ready money, a silver *sela* is treated as six *denars* [instead of four].
  - B The husband takes upon himself (responsibility to give] ten *denars* for pocket money in exchange for each and every *maneh* [which she brings in].
  - C Rabban Simeon b. Gamaliel says, "All follows the local custom."
- **6:5** A He who marries off his daughter without specified conditions should not assign to her less than fifty *zuz*.
  - B [If] he agreed to bring her in naked, the husband may not say, "When I shall bring her into my house, I shall cover her with a garment belonging to me."
  - C But he clothes her while she is still in her father's house.
  - D And so: He who marries off an orphan girl should not assign to her less than fifty *zuz*.
  - E If there is sufficient money in the fund, they provide her with a dowry according to the honor due her.
- **6:6** A An orphan girl [lacking a father], whose mother or brothers married her off [even] with her consent,
  - B for whom they wrote over as her portion a hundred zuz or fifty *zuz*,
  - C can, when she grows up, exact from them what should rightly have been given to her.
  - D R. Judah says, "If a man had married off his first daughter, to the second should be given [a dowry] along the lines of that which he had given to the first."
  - E And sages say, "Sometimes a man is poor and then gets rich, or is rich, and then grows poor.
  - F "But they estimate the value of the property and give to her [her share]."
- **6:7** A "He who appoints a third party to oversee money for his daughter, and she says, 'My [betrothed] husband is trustworthy for me'—
  - B "the third party [nonetheless] should carry out what has been assigned to his trust," the words of R. Meir.
  - C R. Yose says, "And if it is only a field, and she wants to sell it off, lo, it is sold off from this moment!
  - D "In what circumstances?
  - E "In the case of an adult.
  - F "But in the case of a minor—the deed of a minor is null."
- **7:1** A He who prohibits his wife by vow from deriving benefit from him
  - B for a period of thirty days, appoints an agent to provide for her.
  - C [If the effects of the vow are not nullified] for a longer period, he puts her away and pays off her marriage contract.
  - D R. Judah says, "In the case of an Israelite, for [a vow lasting] one month he may continue in the marriage, but for two [or more], he must put her away and pay off her marriage contract.

- E "But in the case of a priest, for two months he may continue in the marriage, and after three he must put her away and pay off her marriage contract."
- **7:2** I A He who prohibits his wife by vow from tasting any single kind of produce whatsoever
  - B must put her away and pay off her marriage contract.
  - C R. Judah says, "In the case of an Israelite, [if the vow is] for one day he may persist in the marriage, but [if it is] for two he must put her away and pay off her marriage contract.
  - D "And in the case of a priest, [if it is] for two days he may persist in the marriage, but [if it is] for three he must put her away and pay off her marriage contract."
- **7:3** II A He who prohibits his wife by a vow from adorning herself with any single sort of jewelry must put her away and pay off her marriage contract.
  - B R. Yose says, "In the case of poor girls, [if] he has not assigned a time limit [he must divorce them].
  - C "But in the case of rich girls, [he may persist in the marriage if he set a time limit] of thirty days."
- 7:4 III A He who prohibits his wife by a vow from going home to her father's house—
  - B when he [father] is with her in [the same] town,
  - C [if it is] for a month, he may persist in the marriage.
  - D [If it is] for two, he must put her away and pay off her marriage contract.
  - E And when he is in another town, [if the vow is in effect] for one festival season he may persist in the marriage. [But if the vow remains in force] for three, he must put her away and pay off her marriage contract.
- **7:5** IV A He who prohibits his wife by a vow from going to a house of mourning or to a house of celebration must put her away and pay off her marriage contract,
  - B because he locks the door before her.
  - C But if he claimed that he took such a vow because of some other thing, he is permitted to impose such a vow.
  - III D [If he took a vow,] saying to her, (1) "On condition that you say to so-and-so what you said to me," or (2) "What I said to you," or (3) "that you draw water and pour it out onto the ash heap,"
    - E he must put her away and pay off her marriage contract.
- **7:6** A And those women go forth without the payment of the marriage contract at all:
  - B She who transgresses against the law of Moses and Jewish law.
  - C And what is the law of Moses [which she has transgressed]? [If] (1) she feeds him food which has not been tithed, or (2) has sexual relations with him while she is menstruating, or [if] (3) she does not cut off her dough offering, or (4) [if] she vows and does not carry out her vow.
  - D And what is the Jewish law? If (1) she goes out with her hair flowing loose, or (2)she spins in the marketplace, or (3) she talks with just anybody.
  - E Abba Saul says, "Also: if she curses his parents in his presence."
  - F R. Tarfon says, "Also: if she is a loudmouth."

- G What is a loudmouth? When she talks in her own house, her neighbors can hear her voice.
- 7:7 A He who betrothed a woman on condition that there are no encumbering vows upon her, and it turns out that there are encumbering vows upon her—
  - B she is not betrothed.
  - C [If] he married her without [further] specification and encumbering vows turned out to be upon her, she must go forth without payment of her marriage contract.
  - D [If he betrothed her] on condition that she had no blemishes on her, and blemishes turned up on her, she is not betrothed.
  - E [If] he married her without [further] specification and blemishes turned up on her, she must go forth without payment of her marriage contract.
  - F All those blemishes which invalidate priests [M. Bek. 7] invalidate women.
- **7:8** A "[If] there were blemishes on her while she was yet in her father's house,
  - B "the father must bring proof that after she was betrothed these blemishes made their appearance on her, so that his [the husband's] field has been flooded [M. 1:6].
    - C "[If] she had entered the domain of the husband, then the husband has to bring proof that before she was betrothed these blemishes were on her body, so that his purchase was a purchase made in error," the words of R. Meir.
    - D And sages say, "Under what circumstances? In the case of blemishes on the hidden parts of her body. But in the case of blemishes which are on the parts of her body to be seen by the naked eye, he has no such claim.
    - E "And if there is a bathhouse in that town, then even blemishes which are on the hidden parts of her body are not subject to his claim,
    - F "for he has her examined by his kinswoman."
- 7:9 A A man who suffered blemishes— they do not force him to put her away.
  - B Said Rabban Simeon b. Gamaliel, "Under what circumstances? In the case of small blemishes.
    - C "But in the case of major blemishes, they do force him to put her away."
- **7:10** A And these are the ones whom they force to put her away: (1) he who is afflicted with boils, or (2) who has a polypus, or (3) who collects [dog excrement], or (4) a coppersmith, or (5) a tanner—
  - B whether these [blemishes] were present before they were married or whether after they were married they made their appearance.
  - C And concerning all of them did R. Meir say, "Even though he made a condition with her [that the marriage is valid despite these blemishes], she still can claim, 'I thought that I could take it. But now I find I cannot take it.' "
  - D And sages say, "She takes it despite herself, except in the case of the one afflicted with boils,
  - E "because [in that case] she enervates him."
  - F *M'SH B*: In Sidon there was a tanner who died, and he had a brother who was a tanner.
  - G Sages ruled, "She can claim, 'Your brother I could take, but I can't take you [as my levir].'
- **8:1** I A the woman to whom property came *before she was betrothed*—

- В the House of Shammai and the House of Hillel concur that she sells or gives away [the property], and the transaction is valid.
- Π С [If] they [goods or property] came to her after she was betrothed,
  - the House of Shammai say, "She may sell them." D
  - And the House of Hillel say, "She may not sell them." E
  - These and those concur that if she sold or gave away [goods or property], the F transaction is valid.
  - G Said R. Judah, "They stated before Rabban Gamaliel, 'Since [the husband-to-be] has acquired possession of the woman, shall he not acquire possession of the property?'
  - "He said to them, 'We are at a loss concerning the new[ly] received property or Η goods]! Now will you turn our attention to the old ones?" "
- III Ι [If] they came to her after she was married.
  - these and those concur that if she sold or gave them away, the husband retrieves J them from the domain of the purchasers.
  - Κ [If they came to her] before she was married, and then she was married,
  - Rabban Gamaliel says, "If she sold or gave away [the property], the transaction is L valid."
  - Μ Said R. Haninah b. Aqabya, "They said before Rabban Gamaliel, 'Since he has acquired possession of the woman, shall he not acquire possession of the property?'
  - Ν "He said to them, 'We are at a loss concerning the newly received [property or goods]! How will you turn our attention to the old ones?' "
- 8:2 R. Simeon makes a distinction between one sort of property and another: А
  - В Property about which the husband is informed she should not sell.
    - С And if she sold or gave it away, the transaction is null.
    - D Property about which the husband is not informed she should not sell.
    - Е But if she sold or gave it away, the transaction is valid.
- 8:3 Ι А [If] ready cash fell to her, land should be purchased with it.
  - And he [the husband] has the usufruct thereof. В
  - Π С [If there fell to her] produce plucked up from the ground, [likewise] land should be purchased with its [proceeds].
    - D And he has the usufruct thereof.
  - Ш E And as to produce attached to the ground [which the wife inherits]-
    - F Said R. Meir, "They make an estimate of their value as follows: "How much is the land worth with the produce affixed to it, and how much is it worth without the produce?
      - G "And with [the proceeds of] the difference, land is purchased.
      - "And he has the usufruct thereof." Η
      - Ι And sages say, "[The value of the produce] attached to the ground belongs to him. [The value of that which is] plucked up from the ground is hers. J
        - "And land is purchased with the [proceeds of the latter].
      - Κ "And he has the usufruct thereof."
- 8:4 R. Simeon says, "At each point at which, when she enters into marriage he has the Α advantage, he is at a disadvantage at her going forth [from the marriage].

- B "At each point at which, when she enters into marriage, he is at a disadvantage, he has the advantage at her going forth.
- C "Produce affixed to the ground when she comes in belongs to him, and when she goes forth, belongs to her.
- D "And those plucked up from the ground when she comes in belong to her, and when she goes forth, belong to him."
- **8:5** A [If] old slave men or slave women fell to her [possession], they are to be sold.
  - B And land should be purchased with their [proceeds].
  - C And he [the husband] has the usufruct thereof.
  - D Rabban Simeon b. Gamaliel says, "She should not sell them,
  - E "for they are the glory of her father's house."
  - F [If] old olive trees or grapevines fell to her [possession], they are to be sold [for their value as] wood.
  - G And land should be purchased with their [proceeds].
  - H And he has the usufruct thereof.
  - I R. Judah says, "She should not sell them,
  - J "for they are the glory of her father's house."
  - K He who lays out the expenses for [the upkeep of] the property of his wife—
  - L [whether] he laid out a great deal of money and received little usufruct,
  - M [or whether he laid out] a small amount of money and received much—
  - N what he has laid out, he has laid out, and the usufruct which he has enjoyed he has enjoyed.
  - O [But] if he laid out [money for the upkeep of the estate] and did not enjoy the usufruct [at all, there being no return],
  - P he should take an oath [to verify] the amount which he has laid out expenses].
  - Q And that should he collect [in recompense, from her by deduction fro her marriage contract].
- **8:6** A A woman waiting levirate marriage with her deceased childless husband brother to whom property came—
  - B the House of Shammai and the House of Hillel concur that she sells gives away her property, and the transaction is valid.
  - C [If] she died, how should they dispose of her marriage contract and of t] property which comes into the marriage with her and goes out of the marriage with her [= *melog* property]?
  - D The House of Shammai say, "Let the heirs of the husband divide it up with the heirs of the father [of the woman]."
  - E And the House of Hillel say, "The property remains in the hands of its presumptive owners:
  - F "the [value of the] marriage contract in the possession of the heirs of the husband, and the property which goes in and comes out with her in the possession of the heirs of the father."
- 8:7 A [If] the brother [the deceased husband] left ready cash, land should be purchased with it.
  - B And he [the levir] has the usufruct thereof.
  - C [If he left] produce plucked up from the ground, [it should be sold] and land should be purchased with the [proceeds].
  - D And he has the usufruct thereof.
  - E [If he left] produce yet attached to the ground—

- F R. Meir says, "They make an estimate of their value as follows: 'How much is the land worth with the produce affixed to it, and how much is it worth without the produce?'
- G "And with the [proceeds of the] difference land is purchased.
- H "And he has the usufruct thereof."
- I And sages say, "Produce attached to the ground belongs to him. Produce plucked up from the ground—whoever gets it first keeps it.
- J "[If] he got it first, he keeps it.
- K "[If] she got it first, land should be purchased with their [proceeds].
- L "And he has the usufruct thereof."
- M [If] he consummated the marriage with her, lo, she is deemed to be his wife for every purpose,
- N except that her marriage contract is a lien on the estate of her first husband.
- **8:8** A [The levir] may not say to her, "There is [the repayment for] your marriage contract, lying on the table."
  - B But all of his property is subject to lien for the payment of her marriage contract.
  - C And so a man may not say to his wife, "There is [the repayment for] your marriage contract, lying on the table."
  - D But all of his property is subject to lien for the payment of her marriage contract.
  - E [If] he divorced her, she has a claim only on her marriage contract.
  - F [If] he remarried her, lo, she is equivalent to all women.
  - G And she has a claim only on her marriage contract alone,
- 9:1 I A He who writes for his wife, "I have no right nor claim to your property,"
  - B lo, this one [nonetheless] has the usufruct during her lifetime.
    - C And if she dies, he inherits her estate.
    - D If so, why did he write to her, "I have no right nor claim to your property"?
    - E For if she sold or gave away [her property], her act is valid.
  - II F [If] he wrote for her, "I have no right nor claim to your property or to its usufruct [consequent profits],"
    - G lo, this one does not have the usufruct in her lifetime.
    - H But if she dies, he inherits her estate.
    - I R. Judah says, "Under all circumstances [in any event] he has the usufruct of the usufruct,
    - J "Unless he writes for her, 'I have no right nor claim to your property, to its usufruct, or to the usufruct of its usufruct, without limit.' "
  - III K [If] he wrote for her, "I have no right nor claim to your property, to its usufruct, to the usufruct of its usufruct, during your lifetime and after your death,"
    - L he neither has the usufruct in her lifetime, nor, if she dies, does he inherit her.
    - M Rabban Simeon b. Gamaliel says, "If she died, he should [in any event] inherit her,
    - N "because he has made a condition against what is written in the Torah [which is that the husband inherits his wife's estate],
    - O "and whoever makes a condition against what is written in the Torah—his condition is null."
- 9:2 A He who died and left a wife, a creditor, and heirs,
  - B and who had goods on deposit or a loan in the domain of others—
  - C R. Tarfon says, "They should be given over to the weakest among them [the creditor]."
  - D R. Aqiba says, "They do not show pity in a lawsuit.

- E "But they should be given over to the heirs.
- F "For all of them have to confirm their claim by an oath.
- G "But the heirs do not have to confirm their claim by an oath."
- **9:3** A [If] he left produce harvested from the ground,
  - B whoever gets them first has effected acquisition of them.
  - C [If] the wife made acquisition of an amount greater than the value of her marriage contract,
  - D or a creditor greater than the value of the debt owing to him—
  - E as to the excess [of the claims of these respective parties]—
  - F R. Tarfon says, "It should be given to the weakest among them."
  - G R. Aqiba says, "They do not show pity in a lawsuit.
  - H "But it [= A] should be given over to the heirs.
  - I "For all of them have to confirm their claim by an oath.
  - J "But the heirs do not have to confirm their claim by an oath."
- 9:4 A He who sets up his wife as a storekeeper,
  - B or appointed her guardian,
  - C lo, this one may impose upon her an oath [that she has not misappropriated any of his property],
  - D at any time he wants.
  - E R. Eliezer says, "Even with respect to her spindle or her, dough [if she is not a shopkeeper or storekeeper or guardian, he may impose an oath]."
- 9:5 I A If he wrote to her, "Neither vow nor oath may I impose upon you,"
  - B then he cannot impose an oath on her.
  - C But he imposes an oath upon her heirs and upon those who are her lawful successors.
  - II D [If he said], "Neither vow nor oath may I impose upon you, upon your heirs, or upon your legal successors,"
    - E he cannot impose an oath upon her or upon her heirs or legal successors.
    - F But his heirs do impose an oath upon her, upon her heirs, or upon her legal successors.
  - III G [If he said,] "Neither vow nor oath may I or my heirs or my legal successors impose upon you, upon your heirs, or upon your legal successors,"
    - H neither he nor his heirs or legal successors can impose an oath upon her, her heirs, or her legal successors.
- 9:6 A [If] she went from her husband's grave to her father's house,
  - B or if she went back to her father-in-law's house and was not appointed guardian,
  - C the heirs do not impose an oath on her [that she has not misappropriated any property of the estate]—
  - D And if she was appointed guardian [of the estate], the heirs do impose an oath on her concerning time to come.
  - E But they do not impose an oath on her concerning past time.
- 9:7 I A She who impairs her marriage contract collects it only through an oath.
  - II B [If] one witness testified against her that it had been collected, she collects it only through an oath.

- III C From (1) the property of the heirs [orphans], or from (2) property subject to a lien, or (3) in his [the husband's] absence
  - D should she collect [her marriage contract] only through an oath.
- **9:8** A She who impairs her marriage contract [M. 9:7A]: How so?
  - B [If] her marriage contract was worth a thousand *zuz*, and he said to her, "You have collected your marriage contract," but she says, "I have received only a *maneh* [a hundred *zuz*],"
  - C she collects [the remainder] only through an oath.
  - D [If] one witness testified against her that it had been collected: How so?
  - E [If] her marriage contract was worth a thousand *zuz*,
  - F and he [the witness] said to her, "You have collected the value of your marriage contract,"
  - G and she says, "I have not collected it,"
  - H and one witness testified against her that it had been collected,
  - I she should collect the marriage contract only through an oath.
  - J From property subject to a lien [M. 9:7C2]: How so?
  - K [If the husband] sold off his property to others, and she comes to collect from the purchasers, she should collect from them only through an oath.
  - L From the property of the heirs [orphans] [M. 9:7C1]: How so?
  - M [If the husband] died and left his property to the orphans, and she comes to collect [her marriage contract] from the orphans, she should collect from them only by an oath.
  - N In his absence [M. 9:7C3]: How so?
  - O [If the husband] went overseas, and she comes to collect [her marriage contract] in his absence, she collects (what is due her] only by an oath.
  - P R. Simeon says, "So long as she comes to claim her marriage contract, the heirs impose an oath on her.
  - Q But if she does not lay claim to her marriage contract, the heirs do not impose an oath on her."
- 9:9
- A [If] she produced a writ of divorce, and a marriage contract is not attached to it, she collects her marriage contract.
  - B [But if she produced] a marriage contract, and a writ of divorce is not attached to it,
  - C [and if] she claims, "My writ of divorce is lost,"
  - D [while the husband] claims, "My quittance is lost,"—
  - E and so too a creditor who produced a bill of indebtedness and a *prosbol* [securing the loan in the year of release] is not attached to it—
  - F lo, these [parties] may not collect [what they claim).
  - G Rabban Simeon b. Gamaliel says, "From the time of the danger and thereafter,
  - H "a woman collects her marriage contract without her writ of divorce.
  - I "And a creditor collects what is owing to him without a *prosbol* attached."
  - J [If she produces] two writs of divorce and two marriage contracts—
  - K she collects [the value of] two marriage contracts.
- I L [If she produces] (1) two marriage contracts but only one writ of divorce, or (2) one marriage contract and two writs of divorce, or (3) a marriage contract and a writ of divorce and a death [certificate],
  - M she collects only one marriage contract.
  - N For he who divorces his wife and then remarries her—
  - O on the strength of the first marriage contract does he remarry her.
- II P And a minor boy whose father married him off—

- Q her [his wife's] marriage contract is confirmed [as valid after he reaches maturity].
- R or on the strength of that document he confirmed [the marriage].
- S A proselyte who converted, and his wife alongside [did the same]—
  - T her [original] marriage contract is valid.
  - U For on the strength of that document he [the husband] confirmed [the marriage].
- **10:1** A He who was married to two wives and died—
  - B the first (wife] takes precedence over the second,
  - C and the heirs of the first take precedence over the heirs of the second.
  - D [If] he married the first and she died, then he married the second, and he died,
  - E he second and her heirs take precedence over the heirs of the first.
- **10:2** A He who was married to two wives and they died,
  - B and afterward he died,

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- C and the orphans claim the marriage contract of their mother—
- D and there are there [funds to pay] only two marriage contracts—
- E they divide equally.
- F (If] there was there an excess of a *denar* [over the necessary funds],
- G these collect the marriage contract of their mother, and those collect the marriage contract of their mother.
- H [If] the orphans said, "We reckon the value of the estate of our father at one *denar* more," so that they may collect the marriage contract of their mother,
- I they do not listen to them.
- J But they make an estimate of the value of the property in court.
- **10:3** A [If] there was property which was going [to accrue to the estate], it is not deemed equivalent to that which is in [the estate's] possession.
  - B R. Simeon says, "Even if there is movable property there,
  - C "it is nothing.
  - D "[The males inherit their mother's property] only if there is available real estate of a value greater than that of the two marriage contracts by at least a *denar*
- **10:4** A He who was married to three wives and died,
  - B the marriage contract of this one was a *maneh*, and that of the next two hundred *zuz*, and that of the last three hundred—
  - C and there is there only a *maneh*—
  - D they divide it equally.
  - E [If] there are two hundred,
  - F the one who is owed a *maneh* takes fifty, and the ones who are owed two hundred and three hundred each take three golden *denars* [seventy-five *zuz* each].
  - G [If] there were three hundred *zuz* there, the one who claims a *maneh* takes fifty *zuz*, and the one who claims two hundred takes a *maneh*, and the one who claims three hundred *zuz* takes six gold *denars* [one hundred fifty *zuz*].
  - H And so [three who put their money into] a single purse—
  - I if the capital in the end was too little or too much,
  - J so would they divide up what was available [as at G].
- 10:5 A He who was married to four wives and who died—

- B the first takes precedence over the second, and the second over the third, and the third over the fourth.
- C The first is subjected to an oath by the second [that she has not yet collected her marriage contract], and the second to the third, and the third to the fourth, and the fourth collects without an oath.
- D Ben Nannos says, "And is it on account of the fact that she is last that she is rewarded?
- E "She too should collect only by means of an oath."
- F [If] all of them [the marriage contracts] were issued on one day,
- G whoever came before her fellow, by even a single hour, has acquired [the right of collection first].
- H And thus did they write in Jerusalem the hours of the day [in a marriage contract].
- I [If] all of them were issued at the same hour and there is only a *maneh* there,
- J they divide it up equally M. 10:4A-C].
- **10:6** A He who was married to two women,
  - B and who sold off his field—
  - C and the first woman wrote to the purchaser, "I have no case or claim with you,
  - D the second [wife] nonetheless seizes the field from the purchaser,
  - E and the first wife from the second,
  - F and the purchaser from the first,
  - G and they go around in a circle,
  - H until they make a compromise among them.
  - I And so in the case of a creditor, and so in the case of a woman who is a creditor.
- **11:1** A A widow is supported by the property of the orphans.
  - B Her wages [the work of her hands] belong to them.
  - C But they are not liable to bury her.
  - D Her heirs who inherit her marriage contract are liable to bury her.
- **11:2** A A widow, whether at the stage of betrothal or at the stage of marriage, sells [her husband's estate's property that was security for her marriage contract to realize her marriage contract or to purchase food] without court [permission].
  - B R. Simeon says, "A widow at the stage of marriage sells without court [permission].
  - C "One at the stage of betrothal sells only with court [permission],
  - D "because she has no claim of support.
  - E "And whoever has no claim of support may sell [property of the husband's estate encumbered for the marriage contract] only with court [permission].
- **11:3** A "[If] she sold off her marriage contract or part of it,
  - B "[or] pledged her marriage contract or part of it,
  - C "[or] gave away her marriage contract to someone else, or part of it—
  - D "she may sell the remainder only with court [permission]."
  - E And sages say, "She sells it even four or five times.
  - F "And [in the meantime, before collecting her marriage contract] she sells [it] for support without court permission], and writes, "I sold it for support."
  - G But a divorcée should sell only with court [permission].

- **11:4** A A widow whose marriage contract was two hundred, and who sold [land of her husband's estate] worth a *maneh* for two hundred *zuz*, or worth two hundred *zuz* for a *maneh*,—
  - B her marriage contract has been received thereby.
  - C [If] her marriage contract was worth a *maneh* and she sold [land] worth *maneh* and a *denar* for a *maneh*,
  - D her sale is void.
  - E Even if she says, "I shall return the *denar* to the heirs," her sale is void.
  - F Rabban Simeon b. Gamaliel says, "Under all circumstances is her sale valid, unless there was so much land there as to allow her to leave a field of nine *qabs*,
  - G "and in the case of a vegetable garden, a field of half a *qab*."
  - H In accord with the opinion of R. Aqiba, a quarter-*qab*.
  - I [If] her marriage contract was worth four hundred *zuz*, and she sold [land] to this one for a *maneh*, and to that one for a *maneh*, [etc.] and to the last [fourth] one, what was worth a *maneh* and a *denar* for a *maneh*,
  - J the sale to the last one is void.
  - K But all the others—their purchase is valid.
- **11:5** A [If] the estimate of the value made by judges was a sixth too little or a sixth too much, their sale is void.
  - B Rabban Simeon b. Gamaliel says, "Their sale is confirmed.
  - C "For if it is so [that the sale is void], of what value is the decision of a court?"
  - D But if they drew up a deed of inspection,
  - E even if they sold what was worth a *maneh* for two hundred, or what was worth two hundred for a *maneh*,
  - F their sale is confirmed.
- **11:6** A (1) A girl who exercised the right of the refusal, (2) a woman in a secondary grade of prohibited relationship [M. Yeb. 2:4], and (3) a sterile woman
  - B do not have a claim on a marriage contract,
  - C nor on the increase [on *melog* property], nor on maintenance, nor on indemnity [for wear of clothing].
  - D But if to begin with he married her as a sterile woman, she has a claim on a marriage contract.
  - E A widow married to a high priest, a divorced woman or one who has performed the rite of *halisah* married to an ordinary priest, a *mamzer* girl and a *Netin* girl married to an Israelite, an Israelite girl married to a *Netin* or to a *mamzer*
  - F do have a marriage contract.
- **12:1** I A He who marries a woman,
  - B and she stipulated with him that he support her daughter for five years—
  - C he is liable to support her for five years.
  - II D [If] she [the wife, having been divorced] married someone else,
    - E and she stipulated with him [the second husband] that he support her daughter for five years,
      - F he is liable to support her for five years.
      - G The first may not say, "When she will come to my house, I shall support her."
      - H But he sends her food to the place where her mother is located.
      - I And so the two of them do not say, "Lo, we shall support her together [in partnership]."

- J But one supports her and the other gives her the cost of her support [in addition].
- **12:2** III A [If the daughter, whom the two husbands have agreed to support] is married,
  - B the husband provides support.
  - C And they [the mother's successive husbands] pay her the cost of her support.
  - D [If] they died, their daughters are supported from unencumbered property,
  - E for she is in the status of a creditor.
  - F The smart ones would write, "... on condition that I support your daughter for five years, so long as you are [living] with me."
- **12:3** A A widow who said, "I don't want to move from my husband's house"—
  - B the heirs cannot say to her, "Go to your father's house and we'll take care of you [there]."
  - C But they provide for her in her husband's house,
  - D giving her a dwelling in accord with her station in life.
  - E [If] she said, "I don't want to move from my father's house,"
  - F the heirs can say to her, "If you are with us, you will have support. But you are not with us, you will not have support."
  - G If she claimed that it is because she is a girl and they are boys, they do provide for her while she is in her father's house.
- A "So long as she is in her father's house, she collects her marriage contract at any time.
   B "So long as she is in her husband's house, she collects her marriage contract within twenty-five years.
  - C "For in twenty-five years she may do good [for friends and neighbors] corresponding to the value of her marriage contract," the words of R. Meir,
  - D which he said in the name of Rabban Simeon b. Gamaliel.
  - E And sages say, "So long as she is in her husband's house, she collects her marriage contract at any time.
  - F "So long as she is in her father's house, she collects her marriage contract within twentyfive years."
  - G [If] she died, her heirs call attention [to her uncollected] marriage contract for twenty-five years.
- 13:1

I

A Two judges of civil law were in Jerusalem, Admon and Hanan b. Abishalom.

- B Hanan lays down two rulings.
- C Admon lays down seven.
- D He who went overseas, and his wife [left at home] claims maintenance—
  - E Hanan says, "Let her take an oath at the end, but let her not take an oath at the outset [that is, she takes an oath when she claims her marriage contract after her husband's death, or after he returns, that she has not held back any property of her husband]."
    - F Sons of high priests disputed with him and ruled, "Let her take an oath at the outset and at the end."
    - G Ruled R. Dosa b. Harkinas in accord with their opinion.
    - H Said R. Yohanan b. Zakkai, "Well did Hanan rule. She should take an oath only at the end."

13:2	II	A B	He who went overseas, and someone went and supported his wife — Hanan says, "He [who did so] has lost his money."
		С	Sons of high priests disputed with him and ruled, "Let him take an oath for however much he has laid out [in support of the wife] and collect [the debt]."
		D	Ruled R. Dosa b. Harkinas in accord with their opinion.
		Е	Said R. Yohanan b. Zakkai, "Well did Hanan rule. He has put his money on the horn of a gazelle."
13:3		А	Admon lays down seven.
	Ι	В	He who died and left sons and daughters,
		С	when the property is ample,
		D	the sons inherit, and the daughters receive support [from the estate].
		E	[And when] the property is negligible, the daughters receive maintenance, and the sons go out begging at [other peoples'] doors.
		F	Admon says, "Do I lose because I am male?"
		G	Said Rabban Gamaliel, "I prefer Admon's opinion."
13:4	II	А	He who claims that his fellow [owes him] jars of oil, and the other party admitted that he owes him [empty] jugs—
		В	Admon says, "Since he has conceded part of the claim, let him take an oath."
		С	And sages say, "This is not concession along the lines of the original claim."
		D	Said Rabban Gamaliel, "I prefer Admon's opinion."
13:5	III	А	He who agrees to give money to his son-in-law but then stretched out the leg [defaulted]—
		В	let her sit until her head turns white.
		С	Admon says, "She can claim, 'If I had made such an agreement in my own behalf, well might I sit until my head grows white. Now that father has made an agreement concerning me, what can I do? Either marry me or let me go!"
		D	Said Rabban Gamaliel, "I prefer Admon's opinion."
13:6	IV	А	He who contests [another's] ownership of a field, but he himself is a signatory on it [the documents of ownership] as a witness—
		В	Admon says, "He can claim, 'The second [owner of the property] was easier for me, and the first was harder than he [for purposes of repossessing the field which in any case is mine].""
		С	And sages say, "He has lost every right."
		D	[If] he made his field a boundary mark for another person, he has lost every right.
13:7	V	А	He who went overseas, and the right-of-way to his field was lost —
		В	Admon says, "Let him go the shortest way."
		С	And sages say, "Let him purchase a right-of-way with a hundred <i>manehs</i> [if need be],
		D	"or let him fly through the air."
13:8	VI	А	He who produces a bond of indebtedness against someone else, and the other brought forth [a deed of sale to show] that the other had sold him a field

- B Admon says, "He can claim, 'If I owed you money, you should have collected what was coming to you when you sold me the field.""
- C And sages say, "This [first] man was smart in selling him the field, since he can take it as a pledge."
- 13:9 VII A Two who produced bonds of indebtedness against one another—
  - B Admon says, "If I had owed you money, how is it possible that you borrowed from *me*?"
  - C And sages say, "This one collects his bond of indebtedness, and that one collects his bond of indebtedness."
- **13:10** A There are three provinces in what concerns marriage: (1) Judah, (2) Transjordan, and (3) Galilee.
  - B They do not remove [wives] from town to town or from city to city [in another province].
  - C But in the same province, they do remove [wives] from town to town or from city to city,
  - D but not from a town to a city, and not from a city to a town.
  - E They remove [wives] from a bad dwelling to a good one but not from a good one to a bad one.
  - F Rabban Simeon b. Gamaliel says, "Also not from a bad one to a good one, for the good one is a test [puts her to the proof]."
- **13:11** A All have the right to bring up [his or her family] to the Land of Israel, but none has the right to remove [his or her family] therefrom.
  - B All have the right to bring up to Jerusalem, but none has the right to bring down—
  - C all the same are men and women.
  - D [If] one married a woman in the Land of Israel and divorced her in the Land of Israel., he pays her off with the coinage of the Land of Israel.
  - E [If] he married a woman in the Land of Israel and divorced her in Cappadocia, he pays her off in the coinage of the Land of Israel.
  - F [If] he married a woman in Cappadocia and divorced her in the Land of Israel, he pays her off in the coinage of the Land of Israel.
  - G Rabban Simeon b. Gamaliel says, "He pays her off in the coinage of Cappadocia."
  - H If he married a woman in Cappadocia and divorced her in Cappadocia, he pays her off in the coinage of Cappadocia.

## NEDARIM

- **1:1** A All substitutes for [language used to express] (1) vows are equivalent to vows,
  - and for (2) bans (herem) are equivalent to bans,
  - and for (3) oaths are equivalent to oaths,
  - and for (4) Nazirite vows are equivalent to Nazirite vows.
  - B He who says to his fellow, (1) "I am forbidden by vow from you," (2) "I am separated from you," (3) "I am distanced from you,"
  - C "if I eat your [food]," [or] "if I taste your [food],"
  - D is bound [by such a vow].
  - E [He who says,] "I am excommunicated from you"—

- F R. Aqiba in this case did incline to impose a stringent ruling.
- G [He who says], "As the vows of the evil folk ...," has made a binding vow in the case of a Nazir, or in the case of [bringing] an offering, or in the case of an oath.
- H [He who says,] "As the vows of the suitable folk" has said nothing whatsoever.
- I "As their [suitable folks'] free will offerings" he has made a binding vow in the case of a Nazir or in the case of [bringing] an offering.
- **1:2** A He who says to his fellow, "*Qonam*," "*Qonah*," "*Qonas*"—lo, these are substitutes for Qorban [a vow to bring a sacrifice, and are valid].
  - B [He who says to his fellow,] "*Hereq*," "*Herekh*," "*Heref*," lo, these are substitutes for a *herem* [ban].
  - C [He who says to his fellow,] "*Naziq*," "*Naziah*," "*Paziah*,"—lo, these are substitutes for Nazirite vows.
  - D [He who says,] "Shebutah," "Shequqah,"
  - E [or if he] vowed [with the word] "Mota,"
  - F lo, these are substitutes for *shebuah* [oath].
- 1:3 A He who says, "Not— unconsecrated produce shall I not eat with you," "Not-valid [food]," and, "Not pure," "[Not] clean [for the altar]," or "Unclean," or "Remnant," or "Refuse"— B is bound.
  - C [If he said, "May it be to me] like the lamb [of the daily whole offering]," "Like the [temple] sheds," "Like the wood," "Like the fire," "Like the altar," "Like the sanctuary," "Like Jerusalem"—
  - D [if] he vowed by the name of one of any of the utensils used for the altar,
  - E even though he has not used the word *qorban*—
  - F lo, this one has vowed [in as binding a way as if he had vowed] by *qorban*.
  - G R. Judah says, "He who says, 'Jerusalem,' has said nothing."
- **1:4** A He who says, "An offering," "A whole offering," "A meal offering," "A sin offering," "A thank offering," "Peace offering,"
  - B "be what I eat with you,"
  - C he is bound [prohibited from eating with the other party].
  - D R. Judah permits [declares him not bound].
  - E [If he says, "May what I eat of yours be] the *qorban*, ""Like the *qorban*, "[By] a *qorban* [do I vow]"—
  - F "be what I eat with you,"
  - G he is bound.
  - H [If he says,] "For a *qorban* shall be what I eat with you,"
  - I R. Meir declares him bound.
  - J He who says to his fellow, "*Qonam* be my mouth which speaks with you," or "My hand which works with you," or "My foot which walks with you,"
  - K is bound.

2:1

- A And these [vows] are not binding [at all]:
  - B [He who says,] "May what I eat of yours be unconsecrated food," "[Be] like pig meat,"
    - "Like an idol," "Like hides pierced at the heart,"
    - "Like carrion," "Like terefah meat,"

"Like abominations," "Like creeping things,"

- "Like the dough offering of Aaron," or "Like his heave offering,"-
- C it is not binding.
- D He who says to his wife, "Lo, you are like mother to me,"—they open for him a door [for the unbinding of his oath] from some other source,
- E so that he may not behave lightly in such a matter.
- F [He who says,] "Qonam if I sleep," or, "If I speak," or, "If I walk"—
- G he who says to his wife, "Qonam if I have sexual relations with you"—
- H lo, this is a case to which applies the law, *He shall not break his word* (Num. 30:2).
  I [If he said], "By an oath that I shall not sleep," "that I shall not speak," "that I shall not walk,"
- J it is binding.

Ι

**2:2** II A [He who says,] "*Qorban* I shall not eat with you!" "*Qorban* be what I eat with you!" "Not-*Qorban* be what I do not eat with you!"—

- B he is not bound.
- C "By an oath, I shall not eat with you!" "By an oath, if I shall eat with you," "Not by an oath I shall not eat with you,"
- D he is bound.
- E This rule is therefore more strict in the case of oaths than in the case of vows.
- F But [there is] a more strict rule which applies to vows than applies to oaths.
- G How so?
- III H [If] he said, "*Qonam* be the *Sukkah* which I am making!" "The *lulab* which I am taking!" "The *tefillin* which I am lying on"—
  - I in the case of vows, it is binding.
  - J In the case of oaths, it is not binding.
  - K For an oath is not taken to transgress the commandments [of the Torah].
- **2:3** A There is a vow within a vow, but there is no oath within an oath.
  - B How so?
  - C [If] he said, "Lo, I am a Nazir if I eat," "Lo, I am a Nazir if I eat,"
  - D [and if] he ate,
  - E he is liable for each such statement land observes two spells of Naziriteship].
  - F [If he said], "By an oath I shall not eat," "By an oath I shall not eat,"
  - G and he ate,

Ι

Π

H he is liable for one count only.

**2:4** A Vows which are not spelled out are subject to a more stringent rule, and [vows] which are spelled out are subject to a more lenient rule.

- B How so?
- C [If] he said, "Lo, it is to me like salted meat," "Like wine used for idolatrous worship,"
  - D if his vow referred to things belonging to Heaven, it is binding.
  - E If it is of things belonging to idolatry that he vowed, it is not binding.
  - F But if he vowed without specification, it is binding [as at D].
- G [If he said,] "Lo, it is to me like a devoted thing,"
  - H if he said, "Like a thing devoted to Heaven," it is binding.
  - I If [he said,] "Like a thing devoted to priests," it is not binding.
  - J And if he said it without further specification, it is binding [as at H].

III	Κ	[If he said,] "Lo, it is unto me like tithe,"
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- L if he vowed that it was like tithe of cattle, it is binding.
- M If it was like tithe of the threshing floor, it is not binding.
- N And if he said it without further specification, it is binding [as at L].
- O "[If he said], 'Lo, it is to me like heave offering,'
- P "if he vowed that it was like heave offering of the chamber [of the Temple], it is binding.
- Q "And if it was like that of the threshing floor, it is not binding.
- R "And if it was without further specification, it is binding," the words of R. Meir.
- S R. Judah says, "A statement referring without specification to heave offering made in Judah is binding. But in Galilee, it is not binding.
- T "For the men of Galilee are not familiar with heave offering belonging to the chamber.
- U "Statements that something is devoted, without further specification, in Judah are not binding, and in Galilee they are binding.
- V "For the Galileans are not familiar with things devoted to the priests."
- **2:5** I A [If] one vowed by "*herem*," but then he said, "I vowed only concerning that which is a *herem* [a net] of the sea,"
  - II B [or if he vowed] by "*qorban*," but then he said, "I vowed only concerning *qorban* [offerings] to kings,"
  - III C [if he said,] "Lo, *asmi* [my bone] is *qorban*," and explained, "I vowed only concerning the *esem* which I placed before me by which to vow,"
  - IV D [if he said,] "Qonam is that benefit which my wife derives from me,"
    - E and he said, "I vowed only concerning my first wife, whom I have already divorced"—
      - F "in all these cases they do not accept inquiry concerning them. But if they accept inquiry, they punish and treat them strictly," the words of R. Meir.
    - G And sages say, "They find an opening for them from in some other place [by some pretext].
    - H "And they instruct them that they not treat vows lightly."
- **3:1** A Four [types of] vows did sages declare not binding:
  - (1) Vows of incitement, (2) vows of exaggeration, (3) vows made in error, and (4) vows [broken] under constraint.
  - (1) B *Vows of incitement*: How so?
    - C [If] one was selling something and said, "*Qonam* if I chop the price down for you to under a *sela*," and the other says, "*Qonam if* I pay you more than a *shekel*, "
       D [then] both of them agree at three *denars*.
    - E R. Eliezer b. Jacob says, "Also: He who wants to force his fellow by a vow to eat with him says, 'Any vow which I am going to vow is null,'—so long as he is mindful at the moment of his vow."
- **3:2** (2) A Vows of exaggeration:
  - B [If] he said, "*Qonam* if I did not see [walking] on this road as many as went out of Egypt,"
  - C "... if I did not see a snake as big as the beam of an olive press."
  - (3) D Vows made in error:
    - E "... if I ate," or "... if I drank," and he remembered that he ate or drank;

-		В	[to enjoy benefit] from those who dwell on dry land. [He who vowed not to enjoy benefit] from those who dwell on dry land is prohibited [to enjoy benefit] from those who go down to the sea,
3:6	Ι	А	He who vows [not to gain benefit] from those who go down to the sea is permitted
	D E F	"Lo, t "This	hese plants are <i>qorban</i> until they are cut down," cloak is <i>qorban</i> until it is burned"— are not subject to redemption
	B C		re subject to redemption.
3:5	A B	-	who says], "Lo, these plants are <i>qorban</i> , if they are not cut down," cloak is <i>qorban</i> if it is not burned"—
		Μ	And the House of Hillel say, "These and those are permitted."
		L	The House of Shammai say, "His wife is permitted, and his children prohibited."
		K	[If] they said to him, "Say: " <i>Qonam</i> be any benefit my wife has with me!" and he said, " <i>Qonam</i> be any benefit my wife and children have with me!"—
		J	How so?
		I	imposed."
		Ι	which the vow is imposed." And the House of Hillel say, "Also: concerning that in which the vow is not
	III	H	The House of Shammai say, "[One takes a vow] only in the matter concerning
		G	outset." And the House of Hillel say, "Also: One [voluntarily] takes a vow at the outset."
	II	F	The House of Shammai say, "One should not [volunteer to] take a vow at the
		E	And the House of Hillel say, "Even in the form of an oath."
	Ι	D	The House of Shammai say, "In any form of words they vow except in the form of an oath."
	_	С	that [property] belongs to the state, even though it does not belong to the state.
		В	that [produce] is heave offering, even though it is not heave offering;
3:4		А	They take a vow to murderers, robbers, or tax collectors
		D	got sick, or a river [overflowed and] stopped him—lo, these are vows [broken] under constraint.
3:3	(4)	A B	<i>Vows [broken] under constraint:</i> [If] one's fellow imposed a vow on him to eat with him, but he got sick, or his son
		J	And the House of Hillel say, "These and those [men] are permitted [to eat the figs]."
		Ι	the House of Shammai say, "They are permitted, and those with them are prohibited."
		Ŧ	them—
		Н	[If] he saw people eating figs [belonging to him] and said, "Lo, they are <i>qorban</i> to you!" and they turned out to be his father and brothers, and there were others with
			or he found out that she had not stolen it.
			"for she beat up my son," and he found out that she had not beaten up his son,
		G	[If he said, "Qonam be any benefit my wife gets from me, for she stole my purse,"
		F	" if I eat," or " if I drink" and he forgot and ate and drank.

f those who go from Acre to
e the sun is prohibited even
whom the sun sees.
men is prohibited [to enjoy e.
children,
are [already] born is nay be born [thereafter].
be born [thereafter], he is
who are born.
] only from anyone [whose
t on the Sabbath is
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lren of Noah," he is
ted [to enjoy benefit] from
prohibited [to enjoy benefit] ne nations of the world.
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ss and sells for more—
ss and sens for more
he derives benefit from
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umcised," he is permitted [to bited [from deriving benefit]
is prohibited [to derive o derive benefit] from

- I For the word "uncircumcised" is used only as a name for gentiles, as it is written, For all the nations are uncircumcised, and the whole house of Israel is uncircumcised at heart (Jer. 9:26).
- J And it says, "*This uncircumcised Philistine* (I Sam. 17:36).
- K And it says, *Lest the daughters of the Philistines rejoice, lest the daughters of the uncircumcised triumph* (I Sam. 1:20).
- L R. Eleazar b. Azariah says, "The foreskin is disgusting, for evil men are shamed by reference to it, as it is written, *For all the nations are uncircumcised.* "
- M R. Ishmael says, "Great is circumcision, for thirteen covenants are made thereby."
- N R. Yose says, "Great is circumcision, since it overrides the prohibitions of the Sabbath, which is subject to strict rules."
- O R. Joshua b. Qorha says, "Great is circumcision, for it was not suspended even for a moment for the sake of Moses, the righteous."
- P R. Nehemiah says, "Great is circumcision, for it overrides the prohibition [against removing the marks of] *negaim*."
- Q Rabbi says, "Great is circumcision, for, despite all the commandments which Abraham our father carried out, he was called complete and whole only when he had circumcised himself as it is said, *Walk before me and be perfect* (Gen. 17:1).
- R "Another matter: Great is circumcision, for if it were not for that, the Holy One, blessed be he, would not have created his world, since it says, *Thus says the Lord: But for my covenant day and night, I should not have set forth the ordinances of heaven and earth* (Jer. 33:25)."
- **4:1** A There is no difference between him who is forbidden by vow from enjoying any benefit from his fellow and him who is forbidden by vow from deriving food from him,
  - B except for setting foot in his [the fellow's] house and [using his] utensils in which food is not prepared.
  - C He who is forbidden by vow from deriving food from his fellow—[the fellow] should not lend him a sifter, a sieve, a millstone, or an oven. But he may lend him a shirt, a ring, a cloak, earrings, or anything in which food is not prepared.
  - D But in a place in which such things as these are rented out [for money or food], it is forbidden to do so.
- **4:2** A He who is prohibited by vow from deriving benefit from his friend
  - B he [the friend] nonetheless (1) pays out his *shekel* [half-*shekel* tax to the Temple],
    - C (2) pays back his debt,
    - D and (3) returns to him something which he [the one who took the vow] has lost.
    - E But in a place in which for this action a reward is paid out, the benefit [of the reward] should fall to the sanctuary.
- **4:3** A (1) And he takes up his heave offering or his tithes with his permission.
  - B (2) And he offers in his behalf bird offerings for (1) *Zab* men or (2) *Zab* women, (3) bird offerings for women who have just given birth, (4) sin offerings, and (5) guilt offerings.
  - C (3) And he teaches him *midrash*, laws, and stories.
  - D But he does not teach him Scripture.
  - E But he teaches his sons and daughters Scripture.
  - F (4) And he takes care of his wife and children, even though he [who vowed] is liable for their care.
  - G (5) But he should not take care of his domesticated animal, whether unclean or clean.

- H R. Eliezer says, "He takes care of the unclean one, and he does not take care of the clean one."
- I They said to him, "What is the difference between the unclean one and the clean one?"
- J He said to them, "As to the clean one: its soul belongs to Heaven, and its body belongs to him. But as to the unclean one, its soul and its body belong to Heaven [it is prohibited to him]."
- K They said to him, "Also the unclean one: its soul belongs to Heaven, but its body belongs to him.
- L "For if he wants, lo, he can sell it to gentiles or feed it to dogs."
- **4:4** A He who is prohibited by vow from enjoying benefit from him— he [the fellow] goes in to visit him when he is sick,
  - B remaining standing but not sitting down.
  - C And he heals him himself but not what belongs to him.
  - D He washes with him in a large bath tub but not in a small one.
  - E He sleeps with him in the same bed.
  - F R. Judah says, "In the sunny season [does he share a bed] but not in the rainy season, because at that time he gives the other the benefit [of the warmth of his body]."
  - G And he sits with him on the same couch,
  - H and eats with him at the same table but not from the same bowl.
  - I But he eats with him from the same bowl which is passed around.
  - J He may not eat with him from the same feeding bowl that is set before workers.
  - K "And he may not work with him in the same furrow," the words of R. Meir.
  - L And sages say, "He works with him but at a distance."
- **4:5** A He who is forbidden by vow from enjoying benefit from his fellow,
  - B [if this was] before the Seventh Year, he may not go down into his field and he may not eat produce that hangs over [from the property of the other].
  - C But [if this was] in the Seventh Year, while he may not go down into his field, he may eat the produce that hangs over [from the property of the other].
  - D [If] he vowed that he would not derive food from him,
  - E [if this was] before the Seventh Year, he goes down into his field but does not eat the produce.
  - F And [if this was] in the Seventh Year, he goes down [into the field] and eats the produce.
  - A He who is forbidden by a vow from deriving benefit from his fellow
    - B should not lend him [his fellow] anything, nor should [the one who took the vow] borrow anything from him.
    - II C He should not lend him money nor should he borrow money from him.
    - III D He should not sell him anything, nor should he buy anything from him.
      - E [If] he said to him, "Lend me your cow,"
      - F [and] he said to him, "It is not available,"
      - G and he said to him, "Qonam be my field if I ever again plough my field with it [the cow],"—
      - H if he [himself] usually ploughed, while he is prohibited, everyone else is permitted [to plough his field with that cow].
      - I If he did not usually plough his own field, then he and everyone else in the world are prohibited [from ploughing the field with that cow].

4:6

4:7	Ι	А	He who is forbidden by vow from deriving benefit from his fellow and has nothing to eat—
		В	he [the fellow] goes to a storekeeper and says, "Mr. So-and-so is forbidden by vow
		С	from deriving benefit from me, and I don't know what I can do about it." And he [the storekeeper] gives food to him [who took the vow] and then goes and collects from this one [against whom the vow was taken].
	II	D	[If] he [against whom the vow was taken] had to build his house [that of the one prohibited by vow from deriving benefit], or to set up his fence,
			or to cut the grain in his field, he [the fellow] goes to the workers and says to them, "Mr. So-and-so is forbidden by vow from deriving benefit from me, and I don't know what I can do about it."
		E	[Then] they [the workers] do the work with him [who took the vow] and come and collect their salary from this one [against whom the vow was taken].
4:8	III	А	[If] they were going on a journey and he [who had forbidden himself by a vow from deriving benefit from his fellow] had nothing to eat,
		В	he [against whom the vow was taken] gives something to another as a gift, and the other [who took the vow] is permitted to make use of it.
		С	If there is no one else with them, he [against whom the vow was taken] leaves it on a rock or on a fence and says, "Lo, these things are ownerless property for anyone who wants them."
		D	Then the other [who is prohibited by vow from deriving benefit from his fellow] takes what he wants and eats it.
		Е	And R. Yose prohibits [such a procedure].
5:1	Ι	А	Partners who prohibited themselves by vow from deriving benefit from one another are prohibited from entering the common courtyard.
		В	R. Eliezer b. Jacob says, "This one enters the part which is his, and that one enters the part which is his."
		С	And both of them are prohibited from setting up a millstone and oven there, or from raising chickens.
	II	D	[If] one of them was prohibited by vow from deriving benefit from his fellow, he should not enter into the common courtyard.
		Ε	R. Eliezer b. Jacob says, "He can say to him, 'Into the part which is mine I enter, but I do not enter into the part which is yours.""
		F	And they force the one who has taken the vow to sell his share [to the other].
5:2	III	А	[If] a third party ["someone from the market"] was prohibited by vow from deriving benefit from one of them, he should not enter into the common courtyard.
		В	R. Eliezer b. Jacob says, "He can say to him, 'Into the part which belongs to your fellow I enter, but I do not enter into your part.""
5:3	А		to is prohibited by vow from deriving benefit from his fellow, and he [the fellow] has
	В		house or an olive press in town which are hired out [to other people]— the fellow] has rights therein, it [the bathhouse or olive press] is prohibited [to the
	С	-	has no rights therein, he [the other] is permitted.

- D He who says to his fellow, "Qonam if I enter your house," or if I buy your field,"
- E [if the other party] died or sold them to a third party, he [the one who took the vow, now] is permitted [to enter the house or the field].
- F [If he said], "Qonam if I enter this house" or "... if I purchase this field"—
- G [if the other party] died or sold it to a third party, it is [nonetheless] forbidden.
- **5:4** I A [If one said to his fellow,] "Lo, I am *herem* unto you,"
  - B the one against whom the vow is made is prohibited [from using what belongs to the other, who made the vow].
  - II C [If he said,] "Lo, you are *herem* unto me,"
  - D the one who takes the vow is prohibited [from benefitting from the other].
  - III E [If he said,] "Lo, I am unto you and you are unto me [*herem*]," both of them are prohibited.
    - F But both of them are permitted [to make use of property belonging to] the immigrants from Babylonia [i.e., inalienable property, which is deemed ownerless].
    - G And they are forbidden [to make use of property] belonging to that town [which each citizen owns jointly with all others].
- **5:5** A What is something which belongs to the immigrants from Babylonia [M. 5:4F]?
  - B For example, the Temple mount and courtyards, and the well which is in the middle of the way.
  - C And what are things which belong to that town [M. 5:4G]?
  - D For example, the town square, the bathhouse, the synagogue, the ark, and the scrolls.
  - E And he who writes over his share to the *nasi* [of the court allows the fellow, prohibited by vow, to derive benefit from those things which are deemed to be held jointly by the town's citizens].
  - F R. Judah says, "All the same is the one who writes over his share to the *nasi* and the one who writes over his share to an ordinary person.
  - G "What is the difference between him who writes over his share to the *nasi* and the one who writes over his share to an ordinary person?
  - H "For: the one who writes over his share to the *nasi* does not have to grant him title."
  - I And sages say, "All the same are this one and that one. They have to grant title.
  - J "They referred to the *nasi* only because they spoke of prevailing conditions."
  - K R. Judah says, "The Galileans do not have to write [their share over to the *nasi*]. For their forefathers already have written over their share in their behalf."
- **5:6** A He who is forbidden by vow from deriving benefit from his fellow and who has nothing to eat—
  - B he [the fellow] gives it [food] to someone else as a gift, and this one [prohibited by vow] is permitted [to make use of] it.
  - C *M'SH B*: There was someone in Bet Horon whose father was prohibited by vow from deriving benefit from him.
  - D And he [the man in Bet Horon] was marrying off his son, and he said to his fellow, "The courtyard and the banquet are given over to you as a gift. But they are before you only so that father may come and eat with us at the banquet."
  - E The other party said, "Now if they really are mine, then lo, they are consecrated to heaven!"
  - F He said to him, "I didn't give you what's mine so you would consecrate it to Heaven!"

	G	could ea	to him, "You did not give me what's yours except so that you and your father at and drink and make friends again, and so the sin [for violating the oath] could his head!"		
	Н		e case came before sages. They ruled, "Any act of donation which is not so [given] one sanctified it to Heaven, it is sanctified, is no act of donation."		
6:1	А	He who seethed.	takes a vow not to eat what is cooked is permitted [to eat what is] roasted or		
	В	[If] he s	aid, " <i>Qonam</i> if I taste cooked food," he is prohibited from eating what is loosely in a pot but permitted to eat which is solidly cooked in a pot.		
	С	And he	is permitted to eat a lightly boiled egg or gourds prepared in hot ashes.		
6:2	Ι		He who takes a vow not to eat what is cooked in a pot is prohibited only from what is boiled [therein].		
		B	[If] he said, " <i>Qonam</i> if I taste anything which goes down into a pot," he is prohibited from eating anything which is cooked in a pot.		
6:3	II		[He who takes a vow not to eat] what is pickled is prohibited only from eating pickled vegetables.		
		В	[If he said, " <i>Qonam</i> ] if I taste anything pickled," he is prohibited from eating anything which is pickled.		
	III	5	[If he took a vow not to eat what is] seethed, he is forbidden only from eating seethed meat.		
		ä	[If he said, " <i>Qonam</i> ] if I taste anything seethed," he is prohibited from eating anything which is seethed.		
	IV	1	"[He who takes a vow not to eat] what is roasted is prohibited only from eating roasted meat," the words of R. Judah.		
		ä	[If he said, " <i>Qonam</i> ] if I taste anything roasted," he is prohibited from eating anything which is roasted.		
	V	t	[He who takes a vow not to eat] what is salted is prohibited only from eating salted fish.		
			[If he said, " <i>Qonam</i> ] if I eat anything salted," then he is prohibited from eating anything at all which is salted.		
6:4	Ι		[He who says, " <i>Qonam</i> ] if I taste fish or fishes," is prohibited [to eat] them, whether large or small, salted or unsalted, raw or cooked.		
	II		But he is permitted to eat pickled chopped fish and brine. He who vows not to eat small fish is prohibited from eating pickled chopped fish.		
		]	But he is permitted to eat brine and fish brine.		
	III		He who vowed [not to eat] pickled chopped fish is prohibited from eating brine and fish brine.		
6:5	A		vows not to have milk is permitted to eat curds.		
	B C	And R. Yose prohibits [eating curds]. [If he vowed not to eat] curds, he is permitted to have milk.			
	D	Abba Saul says, "He who vows not to eat cheese is prohibited to eat it whether it is salted or unsalted."			

- **6:6** A He who takes a vow not to eat meat is permitted to eat broth and meat sediment.
  - B And R. Judah prohibits [him from eating broth and meat sediment].
  - C Said R. Judah, *M'SH W*: "R. Tarfon prohibited me from eating eggs which were roasted with it [meat]."
  - D They said to him, "And that is the point! Under what circumstances? When he will say, 'This meat is prohibited to me.'
  - E "For he who vows not to eat something which is mixed with something else, if there is sufficient [of the prohibited substance] to impart a flavor, is prohibited [from eating the mixture]."
- **6:7** A He who vows not to drink wine is permitted to eat a cooked dish which has the taste of wine.
  - B [If] he said, "*Qonam* if I taste this wine," and it fell into a cooked dish, if there is sufficient [wine] to impart a flavor, lo, this is prohibited.
  - C He who takes a vow not to eat grapes is permitted to drink wine.
  - D [He who takes a vow not to eat] olives is permitted to have olive oil.
  - E [If] he said, "*Qonam!* if I eat these olives or grapes," he is prohibited to eat them and what exudes from them.
- **6:8** A He who takes a vow not to eat dates is permitted to have date honey.
  - B [He who takes a vow not to eat] winter grapes is permitted to have the vinegar made from winter grapes.
  - C R. Judah b. Beterah says, "Anything which is called after the name of that which is made from it, and one takes a vow not to have it—he is prohibited also from eating that which comes from it."
  - D But sages permit.
- **6:9** I A He who takes a vow not to have wine is permitted to have apple wine.
  - II B [He who takes a vow not to have] oil is permitted to have sesame oil.
  - III C He who takes a vow not to have honey is permitted to have date honey.
  - IV D He who takes a vow not to have vinegar is permitted to have the vinegar of winter grapes.
  - V E He who takes a vow not to have leeks is permitted to have shallots.
  - VI F He who takes a vow not to have vegetables is permitted to have wild vegetables, G since they have a special name.
- **6:10** I A [He who takes a vow not to eat] cabbage is forbidden from asparagus deemed a species of the cabbage genus].
  - B [He who takes a vow not to eat] asparagus is permitted to have cabbage.
  - IIC[He who takes a vow not to have] grits is forbidden to have grits pottage.DAnd R. Yose permits it.
  - E [He who takes a vow not to eat] grits pottage is permitted to have grits.
  - III F [He who takes a vow not to eat] grits pottage is forbidden to eat garlic.
    - G And R. Yose permits it.

H [He who takes a vow not to eat] garlic is permitted to eat grits pottage.

- IV I [He who takes a vow not to eat] lentils is forbidden from eating lentil cakes.J And R. Yose permits.
  - K [He who takes a vow not to eat] lentil cakes is permitted to eat lentils.

- L [He who says, "*Qonam*] if I taste [a grain of] wheat or wheat [ground up in any form]" is forbidden from eating it, whether it is ground up or in the form of bread.
- M [If he said, "*Qonam* if I eat] a grit [or] grits in any form," he is forbidden from eating them whether raw or cooked.
- N R. Judah says, "[If he said,] '*Qonam* if I eat either a grit or a [grain of] wheat,' he is permitted to chew them raw."
- 7:1 A He who vows not to eat vegetables is permitted to eat gourds.
  - B And R. Aqiba prohibits [him from eating gourds].
  - C They said to R. Aqiba, "And does not a man say to his messenger, 'Buy me vegetables,' to which the other replies [upon his return home] 'I found only gourds'?"
  - D He said to them, "And that is just how things are! But would he say to him, 'I found only pulse'?
  - E "But gourds are in the general category of vegetables, while pulse is not in the general category of vegetables."
  - F And [if he vowed not to eat vegetables] he is prohibited from eating Egyptian beans when they are fresh, but he is permitted to eat them when they are dried.
- **7:2** A "He who vows not to eat grain is forbidden to eat dried Egyptian beans," the words of R. Meir.
  - B And sages say, "He is prohibited only from eating the five varieties [wheat, barley, spelt, goat grass, and oats]—,'
  - C R. Meir says, "He who vows not to eat [field] produce is forbidden only to eat the five varieties.
  - D "But he who vows not to eat grain is prohibited from eating all kinds of grain."
  - E But he is permitted to eat fruit of trees and vegetables.
- **7:3** A He who vows not to wear clothing is permitted to wear sacking, curtains, or hangings.
  - B [If] he said, "*Qonam* if wool touches me," he is permitted to wear wool shearings.
  - C [If he said, "*Qonam* if] flax touches me," he is permitted to wear stalks of flax.
  - D R. Judah says, "All depends upon the one who makes the vow:
  - E "[If] he was bearing a burden and was sweating and breathing heavily [and] said, '*Qonam* if wool and flax touch me,' he is permitted to wear them as clothing but prohibited to throw them over onto his back [as a bundle]."
- **7:4** I A "He who vows not to enter a house is permitted to enter the upper room," the words of R. Meir.
  - B And sages say, "The upper room is covered by the category of the house land he is prohibited from entering it]."
  - C He who vows not to enter the upper room is permitted to enter the house.
- **7:5** II A "He who vows not to use a bed is permitted to use a couch," the words of R. Meir. B And sages say, "A couch is covered by the category of the bed (and he is prohibited
  - from making use of a couch]."
  - III C He who vows not to make use of a couch is permitted to make use of a bed.
  - IV D He who vows not to enter a city is permitted to enter into the border of the city but prohibited from entering into its confines.

- V E But he who vows not to enter a house is prohibited from entering beyond the jamb of the door and inwards.
- **7:6** A [He who says,] "*Qonam* be these pieces of fruit for me," "They are *qonam* for my mouth," "They are *Qonam* to my mouth,"—
  - B he is prohibited [from eating] whatever he may exchange for those [pieces of fruit] and whatever grows from them as well.
  - C [If he says, "Qonam if] I eat [these pieces of fruit]," ["Qonam] if I taste them,"
  - D he is permitted to eat whatever he may exchange for those pieces of fruit and whatever grows from them.
  - E [This is the case] of something the seed of which perishes.
  - F But in the case of something the seed of which does not perish, even what grows from what grows from it is prohibited.
- **7:7** A He who says to his wife, "*Qonam* be [the results of] the work of your hands for me," "They are *qonam* for my mouth," "They are *qonam* to my mouth"—
  - B he is prohibited to make use of things exchanged for them or things which grow from them as well.
  - C [If he said, "Qonam] that I shall not eat," or "That I shall not taste,"
  - D then he is permitted to eat or taste things exchanged for them and things which grow from them.
  - E This is the rule for something the seed of which perishes.
  - F But in the case of something the seed of which does not perish, even things which grow from the things which grow from them are prohibited.
- **7:8** A [He who says, "*Qonam*] be what you are making if I eat it until Passover," "Be what you are making if I wear it until Passover,"—
  - B [if] she prepared [these things] before Passover, he is permitted to eat or to wear [what she has made] after Passover.
  - C [If he said, "*Qonam* be to me] what you are making until Passover if I eat it," "What you are making until Passover if I wear it,"—
  - D [if] she prepared these things before Passover, he is prohibited from eating or wearing [what she has made] after Passover.
- **7:9** A [He who says, "*Qonam*] be what you enjoy on my account before Passover if you go to your father's house before the Festival of Sukkot,"
  - B [if] she went before Passover, she is prohibited from deriving benefit from him until Passover.
  - C [If she went] after Passover, he is subject to the rule, *He shall not profane his word* (Num. 30:2).
  - D [He who says, "*Qonam*] be what you enjoy on my account up to the Festival of Sukkot if you go to your father's house before Passover,"
  - E and she went to her father's house before Passover,
  - F she is prohibited from deriving benefit from him up to the Festival of Sukkot.
  - G But she is permitted to go to her father's house after Passover.
- 8:1 I A [He who says,] "Qonam if I taste wine today," is prohibited only to nightfall.

- II B [If he referred to] "this week," he is prohibited the entire week, and the Sabbath [which is coming is included] in that past week.
- III C [If he referred to] "this month," he is prohibited that entire month, but the day of the New Month [is assigned] to the coming month.
- IV D [If he referred to] "this year," he is prohibited that entire year, but the New Year['s day] is assigned to the year which follows.
- V E [If he referred to] "this septennate," he is prohibited that entire septennate, and the Seventh Year is assigned to the last septennate [and is included in the vow].
  - F And if he said, "One day," "One week," "One month," "One year," "One septennate." he is prohibited from that day until the same day [or month, year, or septennate following].
- **8:2** I A [If he said], "To Passover," he is prohibited until it comes.
  - II B [If he said,] "Until it will be [Passover]," he is prohibited until it is over.
    - III C [If he said,] "Until before Passover,"
      - D R. Meir says, "He is prohibited until it comes."
        - E R. Yose says, "He is prohibited until it is over."
- **8:3** A [If he said,] "Until harvest," "Until vintage," "Until olive gathering," he is forbidden only until it comes.
  - B This is the general principle: As to any occasion whose time is fixed, if he said, "Until it comes," he is prohibited until it comes.
  - C [If] he said, "Until it will be," he is prohibited until it is over.
  - D But as to any occasion whose time is not fixed, whether he said, "Until it will be," and whether he said, "Until it comes," he is prohibited only until it comes.
- **8:4** I A [If he said,] "Until summer [harvest]," "Until it will be summer [harvest]," it applies until the people will begin to bring in produce in baskets.
  - II B [If he said,] "Until summer [harvest] is over," it applies until the knives are put away.
  - III C (If he said], "Until the harvest," it applies until the people begin to harvest the wheat crop but not the barley crop.
    - D All is in accord with the place in which he takes his oath:
    - E If it was in the mountain, [we follow conditions in] the mountain.
    - F And if it was in the valley, [we follow conditions in] the valley.
- **8:5** IV A [If he said,] "Until the rains," "Until the rains will come," it applies until the second shower has fallen [in November].
  - B Rabban Simeon b. Gamaliel says, "Until the time of the second shower comes."
  - V C "[If he said,] 'Until the rains stop,' it applies until Nisan is wholly passed," the words of R. Meir.
    - D R. Judah says, "Until Passover is passed."
  - I E [If he said,] "*Qonam* be wine if I taste it this year," and the year received an intercalated month, he is prohibited during the year and the added month.
  - II F [If he said,] "Until the beginning of Adar," it applies until the beginning of the First Adar [not the intercalated one].
  - III G [If he said], "Until the end of Adar," it applies until the end of the First Adar.

	Ι	Н	R. Judah says, "[If he said,] ' <i>Qonam</i> be wine if I taste it until Passover will be,' he is prohibited only up to the night of Passover.			
		Ι	"For this man intended to refer only until the time that people usually drink wine."			
8:6	ΙΙ	А	[If] he said, " <i>Qonam</i> be meat if I taste it until there will be the fast," he is prohibited only up to the night of the fast.			
		В	For this man intended to refer only to the time at which people usually eat meat.			
	III	С	R. Yose his son says, "[If he said,] ' <i>Qonam</i> be garlic if I taste it until it will be the Sabbath,' he is prohibited only up to the night of the Sabbath.			
		D	"For this man intended to refer only to the time at which people usually eat garlic."			
8:7	А		ho says to his fellow, " <i>Qonam</i> be benefit I derive from you, if you do not come and ct for your child a <i>kor</i> of wheat and two jugs of wine,"—			
	В	lo, thi	is one [the fellow] can annul his vow without consultation with a sage,			
	С	and w	ay to him, "Did you not speak only to do me honor? But this [ <i>not</i> taking your wheat vine for my children] is what I deem to be honorable!"			
	D		so: He who says to his fellow, " <i>Qonam</i> be benefit you derive from me, if you do not and give my son a <i>kor</i> of wheat and two jugs of wine"—			
	Е		eir says, "He is prohibited until he will give [what the other has demanded]."			
	F		sages say, "Also: This one can annul his vow without consultation with a sage,			
	G	"and	one [who made the vow] says to him, 'Lo, it is as if I have received what I nded."			
	Н	[If] they were nagging him to marry the daughter of his sister and he said, " <i>Qonam</i> be what she enjoys which is mine for all times"—				
	Ι		o he who divorces his wife and says, "Qonam be what my wife enjoys of mine for all			
	J	lo, the	ese are permitted to derive benefit from him.			
	Κ	For th	nis man intended [his vow] only with reference to [actual] marriage with them.			
	L		ne was nagging his friend to eat with him [and the other] said, " <i>Qonam</i> be your house net rit," "if I drink a single drop of cold water of yours,"			
	Μ	he is	permitted to enter his house and to drink cold water of his.			
	N		his man intended [his vow] only with reference to eating and drinking [but not merely ng into the house or taking a glass of cold water].			
9:1	А		iezer says, "They unloose a vow for a person by [reference to] the honor of his father other."			
	В	And s	sages prohibit.			
	С	Said 1	R. Sadoq, "Before they unloose a vow for him by [reference to] the honor of his or mother, let them unloose his vow by reference to the honor of the Omnipresent.			
	D	"If so	, there will be no vows!"			
	E		ages concede to R. Eliezer that, in a matter which is between him and his mother or r, they unloose his vow by [reference to] the honor of his father or mother.			
9:2	А		further did R. Eliezer say, "They unloose a vow by reference to what happens bectedly [a new fact]."			
	В	-	sages prohibit.			
	Ċ	How				

- D [If] he said, "*Qonam* be what I enjoy which derives from so-and-so," and the person was appointed a scribe,
- E or the person was marrying off his son in the near future,
- F and he [who took the vow] then said, "If I had known that he would be appointed a scribe, "or that he would be marrying off his son in the near future, "I should never have made such an oath!" —
- G [If he said,] "Qonam be this house if I enter it," and it was turned into a synagogue,
- H [If] he said, "If I had known that it would be made into a synagogue, I should never have made such an oath"—
- I R. Eliezer permits [declares the vow to be unbound].
- J And sages prohibit [declare the vow to remain binding].
- **9:3** A R. Meir says, "There are things which appear to be equivalent to what happens unexpectedly but are not, in fact, treated as equivalent to what happens unexpectedly."
  - B And sages do not concur with him.
  - C How so?
  - D [If] he said, "Qonam that I shall never marry so-and-so, for her father is evil,"
  - E [and] they told him, "He died," or "He has repented,"—
  - F [if he said], "*Qonam* be this house, that I shall not enter it, for there is a bad dog inside," or "snake inside,"
  - G [and] they told him, "The dog died," or "The snake was killed,"—
  - H lo, these appear to be equivalent to that which happens unexpectedly, yet are not treated as equivalent to that which happens unexpectedly.
  - I And sages do not concur with him.
- **9:4** A And further did R. Meir say, "They unloose his [vow] by reference to what is written in the Torah, saying to him,
  - B "'If you had known that you would transgress the commandment, *You shall not take vengeance*, or, *You shall not bear a grudge* (Lev. 19:18), or, *You shall not hate your brother in your heart* (Lev. 19:17), or, *You shall love your neighbor as yourself* (Lev. 19:18), or *That your brother may live with you* (Lev. 25:36), [would you have taken such a vow?] Now what happens if he becomes poor and you will be unable to help him out?'
  - C "And he says, 'If I had known that matters were thus, I should never have taken such a vow'—
  - D "lo, this [vow] is loosed."
- **9:5** A They unloose a man's vow by reason of the wife's marriage contract.
  - B *M'SH B*: A certain man vowed not to derive benefit from his wife.
  - C And her marriage contract called for a payment of four hundred *denars*.
  - D And he came before R. Aqiba, who required him to pay off her marriage contract.
  - E He said to him, "Rabbi, my father left [an estate worth] eight hundred *denars*, and my brother received four hundred, and I four hundred. Is it not enough for her if she collects two hundred and I keep two hundred?"
  - F R. Aqiba said to him, "Even if you have to sell the hair of your head, you still have to pay off her marriage contracts"
  - G He said to him, "Now if I had ever known that things were so, I should never have taken such a vow."
  - H And R. Aqiba declared the vow to be not binding.

- **9:6** A They unloose [vows] by reference to festival days and Sabbaths.
  - B At first they said, "On those particular days [the vows] are not binding, but for all other days they are binding."
  - C But then R. Aqiba came along and taught that the vow part of which is unloosed is wholly unloosed.
- **9:7** A How so?
  - B [If] he said, "*Qonam* be what I enjoy from any one of you"—
  - C [if] his vow with reference to any one of them was declared not binding, the vow with reference to all of them was declared not binding.
  - D [If he said, "Qonam] be what I enjoy from this one and from that one,"
  - E [if] the vow pertaining to the first was declared not binding, all of them are no longer subject to the vow.
  - F [If] the vow pertaining to the last one of them was declared not binding, the last one is permitted [to give benefit to the man] but the rest of them are prohibited.
  - G [If the vow] was declared not binding for one in the middle, from him and onward, it is not binding, but from him and backward, it is binding.
  - H [If he said,] "Let what I enjoy of this one's be *qorban*, and of that one's be *qorban*," they require an opening [absolution] for each and every one of them.
- 9:8 A [If he said,] "*Qonam* be wine, because it is bad for the belly,"
  - B [and] they told him, "But isn't old wine good for the belly?"
    - C he is permitted to drink old wine.
    - D And not old wine alone is permitted.
    - E But all wine [is permitted].
    - F [If he said,] "Qonam be an onion if I taste it, for onions are bad for the heart,"
    - G then Cyprus onions are permitted for him.
    - H And not Cyprus onions alone are permitted,
    - I but all onions [are permitted].
    - J There was a case along these lines, and R. Meir declared him permitted to eat all onions.
- **9:9** A They unloose a vow for a man by reference to his own honor and by reference to the honor of his children.
  - B They say to him, "Had you known that the next day they would say about you, 'That's the way of so-and-so, going around divorcing his wives,'
  - C "and that about your daughters they'd be saying, 'They're daughters of a divorcée! What did their mother do to get herself divorced' [would you have taken a vow]?"
  - D And [if] he then said, "Had I known that things would be that way, I should never have taken such a vow,"
  - E lo, this [vow] is not binding.
- 9:10 A [If one said,] "*Qonam* if I marry that ugly Miss So-and-so," and lo, she is beautiful,
  - B "... dark ...," and lo, she is light,
  - C "... short ...," and lo, she is tall,
  - D he is permitted [to marry] her,
  - E not because she was ugly and turned beautiful, dark and turned light, short and turned tall, but because the vow [to begin with] was based on erroneous facts.

- F *M'SH B*: A certain man prohibited by vow that from the daughter of his sister he should derive benefit.
- G And they brought her into the house of R. Ishmael and made her beautiful.
- H Said to him R. Ishmael, "My son, did you ever take a vow about this lass?"
- I He said to him, "Never!"
- J And R. Ishmael declared his [vow] not binding.
- K That moment R. Ishmael wept and said, "Israelite girls really are beautiful, but poverty makes them ugly."
- L And when R. Ishmael died, Israelite girls took up a lamentation, saying, "Israelite girls, weep over R. Ishmael."
- M And that is what [Scripture] says for Saul, "Israelite girls, weep for Saul [who clothed you in scarlet delicately, who put ornaments of gold upon your apparel] (II Samuel 1:24).
- **10:1** A A betrothed girl—
  - B her father and her husband annul her vows.
  - C [If] the father annulled her vow, but her husband did not annul her vow,
  - D [or if] her husband annulled her vow, but her father did not annul her vow,
  - E it is not annulled.
  - F And it is not necessary to say, if one of them confirmed her vow [and the other did not, that it is not confirmed].
- **10:2** A [if] the father died, [his] authority does not pass to the husband.
  - B [If] the husband died, [his] authority passes to the father.
  - C In this regard the power of the father is greater than the power of the husband.
  - D In another regard, however, the power of the husband is greater than the power of the father.
  - E For the husband annuls the vows in the case of a grown-up woman, but the father does not annul the vows of a grown-up woman.
- **10:3** A [If] she took a vow while she was betrothed and was divorced on that very day [and] betrothed again on that same day [and repeated the process], even a hundred [times].
  - B her father and her last husband annul her vows.
  - C This is the general principle: In the case of any girl who has not gone forth to her own domain for a single moment, her father and her last husband annul her vows.
- **10:4** A The way of a disciple of sages [is this]:

- B Before his daughter goes forth from his home, he says to her, "All vows which you vowed in my house, lo, they are annulled."
  - C And so the husband, before she enters his domain, says to her, "All vows which you vowed before you came into my domain, lo, they are annulled."
  - D For after she enters his domain, he cannot annul [those prior] vows any more.
- I A A grown-up woman who waited twelve months, and a widow who waited thirty days—
  - B R. Eliezer says, "Since her husband is liable to support her, he annuls her vows."
  - C And sages say, "The husband does not annul her vows until she enters his domain."

- **10:6** II A A deceased childless brother's widow awaiting levirate marriage, whether with a single levir or with two levirs—
  - B R. Eliezer says, "He annuls her vows."
  - C R. Joshua says, "That is the case with one but not with two."
  - D R. Aqiba says, "That is the case neither with one nor with two."
  - E Said R. Eliezer, "Now if in the case of a woman whom he acquired for himself, lo, he annuls her vows, a woman who is acquired for him by Heaven, is it not logical that he should annul her vows?"
  - F Said to him R. Aqiba, "No. If you have so stated the rule in regard to a woman whom he has acquired for himself,
    - "the fact is that others have no claim on her."

"But will you say the same in the case of a woman acquired in his behalf by Heaven, in whom others [other levirs] have a claim?"

- G Said to him R. Joshua, "Aqiba, your argument applies in the case of two levirs. What will you say in the case of one levir?"
- H He said to him, "A deceased childless brother's widow is not wholly [betrothed] to the levir [alone] in the way in which a betrothed girl is wholly [betrothed] to her husband."
- **10:7** III A He who says to his wife, "All vows which you will vow from this time until I return from such-and-such a place, lo, they are confirmed," has said nothing whatsoever.
  - B [If he says], "Lo, they are annulled"—
  - C R. Eliezer says, "It is annulled."
  - D And sages say, "It is not annulled."
  - E Said R. Eliezer, "If he annulled vows which have the force of a prohibition, will he not annul vows which do not have the force of a prohibition?"
  - F They said to him, "Lo, Scripture says, *Her husband will confirm it and her husband will annul it* (Num. 30:14)—
  - G "That which enters the category of confirmation enters the category of annulment. That which does not enter into the category of confirmation does not enter into the category of annulment."
- **10:8** A The annulment of vows [may be done] all day long.
  - B There is in this matter a basis for a lenient ruling and for a stringent ruling.
    - C How so?
    - D [If] she vowed on the night of the Sabbath, [the husband] annuls the vow on the night of the Sabbath and on the Sabbath day, down to nightfall.
    - E [But if] she vowed just before nightfall, he annuls the vow only until it gets dark.
    - F For if it should get dark and he should not annul the vow, he cannot annul the vow [any longer].
- **11:1** A And these are the vows which he annuls:
  - B matters of inflicting self-punishment [*afflicting the soul*, (Num. 30:13)]
  - C "... If I shall wash," or "If I shall not wash,"."... If I shall adorn myself," or "... If I shall not adorn myself."
  - D Said R. Yose, "These are not vows which inflict self-punishment.

- **11:2** A "And what are those vows which do inflict self-punishment?
  - B "[If] she said, '*Qonam* to me be the produce of the world,' lo, this [sort of vow] he does have the power to annul.
  - C "[If she said, '*Qonam*] be to me the produce of this province,' let him bring her produce from another province.
  - D "[If she said, '*Qonam*] be the produce of this stall for me,' he cannot annul that vow.
  - E "But if he derived his provisions from that particular store alone, lo, this one may annul the vow," the words of R. Yose.
- **11:3** A [If she said,] "*Qonam* if I derive benefit from anybody," he has not got the power to annul that vow.
  - B But she may derive benefit from Gleanings, the Forgotten Sheaf, and the Corner of the Field (Lev. 19:9, Dt. 24:19).
  - C [If she said], "*Qonam* be the benefit priests and Levites derive from me," they collect their dues by force.
  - D [If she said,] "*Qonam* be the benefit these [particular] priests and Levites derive from me," others collect [the priestly dues from her].
- **11:4** A [If she said,] "*Qonam* if I work for father," or "For your father, or "… For your brother," he cannot annul that vow.
  - B [If she said, "*Qonam*] if I work for you," he need not annul [that vow, which is null to begin with].
  - C R. Aqiba says, "Let him annul it.
  - D "lest she place a burden upon him more than is appropriate for him."
  - E R. Yohanan b. Nuri says, "Let him annul it,
  - F "lest he divorce her, and she be prohibited from returning to him."

**11:5** I A [If] his wife took a vow and he thought that his daughter had taken a vow,

- B [if] his daughter took a vow and he thought that his wife had taken a vow,
- II C [If] she vowed a Nazirite vow and he thought she had vowed by *Qorban*,
  - D [if she vowed by] *Qorban*, and he thought that she had vowed a Nazirite vow,
- III E [if] she vowed not to eat figs, and he thought she had vowed not to eat grapes,
  - F [if] she vowed not to eat grapes and he thought she had vowed not to eat figs—
    - G lo, this one should go back and annul [the vow again].
- **11:6** A [If] she said, "*Qonam* be these figs and grapes if I taste [them],"
  - B [if] he confirmed the vow concerning figs, the whole is deemed confirmed. If I shall adorn
     C [If] he annulled the vow concerning figs, it is not deemed annulled until he annuls the vow concerning grapes too.
  - D [If] she said, "*Qonam* be figs if I taste them, and grapes if I taste them," lo, these are deemed two distinct vows.
- **11:7** A [If he said,] "I was aware that there are vows, but I was not aware that there is the possibility of annulling them," he may annul [the vow].
  - B [If he said], "I was aware that there is the possibility of annulling vows, but I was not aware that this particular statement was a vow,"
  - C R. Meir says, "He may not annul the vow."
  - D And sages say, "He may annul the vow."

- **11:8** A He who was prohibited by vow from imparting any benefit to his son-in-law but who wants to give his daughter some money
  - B says to her, "Lo, this money is given to you as a gift, on condition that your husband has no right to it, but you dispose of it for your own personal use."
- **11:9** A But the vow of a widow or a divorcée shall stand against her (Num. 30:9):
  - B How so?
  - C [If] she said, "Lo, I shall be a Nazir after thirty days,"
  - D even though she was married during the thirty days, he [whom she married] has not got the power to annul her vow.
  - E [If] she took a vow and she was in the domain of the husband, he annuls the vow for her.F How so?
  - G [If] she said, "Lo, I shall be a Nazir after thirty days,"
  - H [if] the husband abrogated [the vow], even though she was widowed or divorced within thirty days, lo, this [vow] is annulled.
  - I [If] she took a vow on that very day and was divorced on the same day and remarried to the same man on the same day, he cannot annul the vow.
  - J This is the general principle: [In the case of] any woman who has gone forth into her own domain for a single moment [M. 10:3C]—he has not got the power to annul the vows.
- **11:10** A In the case of nine [sorts of] girls, their vows are valid [and not subject to abrogation]:
  - B (1) a girl [who vowed when] past maturity who is an orphan [in her father's lifetime];
    (2) a girl who [vowed as] a minor girl and then passed maturity and is an orphan [in her father's lifetime];

(3) a girl who [vowed] before she reached maturity and is an orphan [in her father's lifetime];

- C (4) a girl [who vowed] past maturity whose father died;
  - (5) a girl who [vowed as] a minor and then passed maturity whose father died;
  - (6) a girl who [vowed] before she reached maturity and whose father died;
- D (7) a girl whose father died, and [who vowed and] after the death of her father, she passed maturity;
  - (8) a girl [who vowed] past maturity whose father is alive;
  - (9) a girl who passed maturity [and then vowed] and whose father is alive.
- E R. Judah says, "Also: He who marries off his minor daughter and she was widowed or divorced and came back home to him—she is still deemed a girl [subject to the abrogation of her vows by the father]."
- **11:11** A [If she said,] "*Qonam* be any benefit I have of father ...," "Of your father ..., if I do any work for you,"
  - B "... if I derive benefit from you, if I work for my father," "... if I work for your father,"
  - C lo, this one he annuls.
- **11:12** A Aforetimes they did rule: Three sorts of women go forth and collect their marriage contract:

(1) she who says, "I am unclean for you,"

- (2) "Heaven [knows] what is between you and me [namely, your impotence]",
- (3) "I am removed from [having sexual relations with] all the Jews."
- B They reverted to rule:

- C so that a woman should not covet someone else and spoil [her relationship with] her husband,
- D but: (1) she who says, "I am unclean for you," must bring proof for her claim.
  (2) [She who says], "Heaven [knows] what is between you and me,"—let them find a way to appease her.
  (3) [She who says], "I am removed from all the Jews,"

(3) [She who says], I am removed from all the Jews, let him annul his share [in the vow], so that she may have sexual relations with him,

but let her be removed from all the other Jews.

## NAZIR

- **1:1** A All euphemisms for [the form of words for] a Nazirite vow are equivalent to a Nazirite vow [and binding].
  - B He who says, "I will be [such],"—lo, this one is a Nazir.
  - C Or: "I shall be comely,"—he is a Nazir.
  - D [If he says,] "Naziq," "Naziah," "Paziah,"—lo, this one is a Nazir.
  - E [If he says,] "Lo, I shall be like this one."
    - "Lo, I shall curl [my hair],"

"Lo, I shall tend [my hair],"

"Lo, it is incumbent on me to grow [my hair] long,"

lo, this one is a Nazir.

- F [If he says,] "Lo, I pledge myself [to offer] birds"—
- G R. Meir says, "He is a Nazir."
- H And sages say, "He is not a Nazir."
- **1:2** A [He who says,] "Lo, I shall be an abstainer [Nazir] from grape pits," or "From grape skins," or "From haircuts," or "From uncleanness [of corpses]"—lo, this one is a Nazir [in all regards].
  - B And all the details of a Nazirite vow pertain to him.
  - C [He who says,] "Lo, I shall be like Samson," "Like the son of Manoah," "Like the husband of Delilah," "Like the one who tore down the gates of Gaza," "Like the one whose eyes the Philistines plucked out,"—lo, this one is a Nazir in the status of Samson.
  - D What is the difference between a life-long Nazirite and a Nazirite in the status of Samson [also a Nazirite for life]?
  - E A life-long Nazirite: [If] his hair got too heavy, he lightens it with a razor and brings three [offerings of] cattle [Num. 6:14].
  - F And if he is made unclean, he brings an offering on account of uncleanness.
  - G A Nazirite in the status of Samson: [If] his hair got too heavy, he does not lighten it.
  - H And if he is made unclean, he does not bring an offering on account of uncleanness.
- **1:3** A A Nazirite vow which is unspecified [as to length] is for a period of thirty days.
  - I B [If] he said, "Lo, I shall be a Nazir for one long spell," "Lo, I shall be Nazir for one short spell," [or] even, "From now until [for as long as it takes to go to] the end of the world,"—
    - C he is a Nazir for thirty days.
  - II D [If he said,] "Lo, I shall be a Nazir and for one day [more]," "Lo, I shall be a Nazir and for one hour [more]," "Lo, I shall be a Nazir for one spell and a half,"—

- E lo, he is a Nazir for two spells [of thirty days].
- III F [If he said], "Lo, I shall be a Nazir for thirty days and for one hour," he is a Nazir for thirty days and for one day,
  - G for Nazirite vows are not taken by the measure of hours.
- **1:4** A [He who said], "I will be a Nazir like the hairs of my head," or like the dust of the earth," or like the sand of the sea,"—lo, this one is a life-long Nazir.
  - B But he cuts his hair once every thirty days.
  - C Rabbi says, "Such a one as this does not cut his hair once every thirty days.
  - D "But who is the one who cuts his hair once every thirty days?
  - E "It is he who says, 'Lo, I pledge myself to as many [distinct] Nazirite vows as the hairs of my head,' or as the dust of the earth,' or as the sand of the sea.""
- **1:5** I A [He who says,] "Lo, I am a Nazir, a jugful," or "... a basketful"—
  - B they examine his intention.
  - C And if he said, "I intended to take a Nazirite vow for one long period," he is a Nazir for thirty days.
  - D But if he said, "I took a Nazirite vow without specification," they regard the basket as if it is full of mustard seeds.
  - E And he is a Nazir for the rest of his life.
- **1:6** II A [If he said,] "Lo, I shall be a Nazir from here to such-and-such a place,"
  - B they make an estimate of how many days it takes to go from here to such-and-such a place.
    - C If it is less than thirty days, he is a Nazir for thirty days.
    - D And if not, he is a Nazir in accord with the number of days [required to go to suchand-such a place].
- **1:7** III A [If he said,] "Lo, I shall be a Nazir according to the number of days of the solar year,"
  - B he counts his Nazirite spell in accord with the number of days of the solar year.
  - C Said R. Judah, "There was a case of this sort, and once he had fulfilled [his Nazirite vow], he dropped dead."
- 2:1 A [He who says,] "Lo, I am a Nazir as to dried figs and pressed figs"—
  - B the House of Shammai say, "He is a Nazir."
  - C And the House of Hillel say, "He is not a Nazir."
  - D Said R. Judah, "Also: When the House of Shammai made this ruling, they made it only with reference to him who says, 'Lo, they are unto me as a *Qorban*.' "
- **2:2** A [If] one said, "This cow says, 'Lo, I am a Nazir if I stand up,'
  - B "This door says, 'Lo, I am a Nazir if I am opened"—
    - C the House of Shammai say, "He is a Nazir."
    - D And the House of Hillel say, "He is not a Nazir."
    - E Said R. Judah, "Also: When the House of Shammai made this ruling, they made it only with reference to him who says, 'Lo, this cow is unto me as a *Qorban* if it stands up.' "

- **2:3** A [If] they mixed a cup for someone, and he said, "Lo, I am a Nazir from it,"
  - B lo, this one is a Nazir.
  - C *M'SH B*: A woman was drunk, and they filled a cup for her, and she said, "Lo, I am a Nazirite from it."
  - D Sages ruled, "She intended only to say, 'Lo, it is unto me as a *Qorban*."
- **2:4** I A [If one said,] "Lo, I am a Nazir on condition that I shall drink wine and become unclean with corpse uncleanness,"
  - B lo, this one is a Nazir.
  - C But he is prohibited to do all of these things [which he has specified as conditional upon his vow].
  - II D [If he said,] "I recognize that there is such a thing as Naziriteship, but I do not recognize that a Nazir is prohibited from drinking wine,"
    - E lo, this one is bound [by the Nazirite oath].
    - F And R. Simeon declares him not bound.
  - III G [If he said,] "I recognize full well that a Nazir is prohibited to drink wine, but I was thinking that sages would permit me to do so, because I cannot live without wine,"
    - H or "... because I am in the work of burying the dead,"
    - I lo, this one is not bound.
    - J And R. Simeon declares him bound.
- **2:5** A [If one said,] "Lo, I am a Nazir, and I take it upon myself to bring the hair offering of a[nother] Nazir," and his friend heard and said, "So am I, and I take upon myself to bring the hair offering of a[nother] Nazir,"
  - B if they are smart, they bring the hair offering of each other,"
  - C And if not, they bring the hair offering of other Nazirs.
- 2:6 A [If one said,] "Lo, I pledge myself to bring half of the hair offering of a Nazir," and his friend heard and said, "And I too pledge myself to bring half the hair offering of a Nazir,"
  B "this one brings the whole hair offering of a Nazir and that one brings the whole hair offering of a Nazir," the words of R. Meir.
  - C And sages say, "This one brings half the hair offering of a Nazir, and that one brings half the hair offering of a Nazir."
- **2:7** I A [If one said,] "I will be a Nazir when a son is born to me," and a son was born to him, lo, this one is a Nazir.
  - B [If] a daughter, a child of unclear sexual traits, a child bearing the sexual traits of both sexes, is born to him, he is not a Nazir.
  - C If he said, "When I see that a child is born to me, [I shall be a Nazir],"
  - D even if a daughter, a child bearing unclear sexual traits [or] a child bearing the sexual traits of both sexes, is born to him, lo, he is a Nazir.
- **2:8** III A [But if] his wife miscarried, he is not a Nazir.

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- B R. Simeon says, "He should say, 'If it was a viable foetus, lo, I am a Nazir out of obligation. And if not, lo, I am a Nazir by free choice.""
- C [If] she gave birth again, lo, this one is a Nazir.

		D	R. Simeon says, "He should say, 'If the first was a viable foetus, the first [Nazirite spell which I observed] is done out of obligation, and this one is by free choice. And if not, then the first was by free choice, and this one is out of obligation.' "	
2:9	Ι	A B	[He who said], "Lo, I am a Nazir, and [again] a Nazir if a son is born to me," [if] he began counting out the Nazir days covering his own vow, and afterward a son was born to him,	
		С	he completes the days of his own vow and afterward counts out the days of the vow pertaining to his son.	
	II	D E	[If he said], "Lo, I am a Nazir when a son will be born to me, and [again] a Nazir," [if] he began to count out the days covering his own vow, and afterward a son was born to him,	
		F	he puts aside [the observance of the days of] his own [vows] and counts out the days covering the vow he made for his son.	
		G	And afterward he completes the days required for his own vow.	
2:10	III	А	[If he said], "Lo, I am a Nazir when a son will be born to me and a Nazir for a hundred days,"	
		B C D	[if] a son was born to him before seventy days [had passed], he has lost nothing. [If the son was born] after seventy days, he loses the seventy days he has observed, for there is no cutting of hair in less than thirty days [from the beginning of the observance of the vow].	
3:1	A		o said, "Lo, I am a Nazir," cuts his hair on the thirty-first day.	
	B C		he cut it on the thirtieth day, he has fulfilled his obligation. said], "Lo, I am a Nazir for thirty days,"	
	D	-	ut his hair on the thirtieth day, he has not fulfilled his obligation.	
3:2	А	He who took a Nazirite vow for two spells cuts his hair for the first on the thirty-first day		
	В	and for the second on the sixty-first day. And if he cut his hair for the first on the thirtieth day, he cuts his hair for the second on the sixtieth day.		
	С	But if he cut his hair on the sixtieth day less one, he [nonetheless] has fulfilled his obligation.		
	D	This testimony did R. Pappyas present concerning one who took a vow to observe two spells as a Nazir, that:		
	E	-	ut his hair for the first spell on the thirtieth day, he cuts his hair for the second on the	
	F	But if l	he cut his hair for the second on the sixtieth day less one, he has fulfilled his tion [C].	
	G	For the thirtieth day counts for him among the number [of days of the second Nazirite vow].		
3:3	Ι	A B C D	He who said, "Lo, I am a Nazir," [if] he was made unclean on the thirtieth day, he loses the whole [thirty days he already has observed]. R. Eliezer says, "He loses only seven days."	

- E [If he said,] "Lo, I am a Nazir for thirty [whole] days," [and] was made unclean on the thirtieth day, he loses the whole [thirty days he already has observed.]
- **3:4** II A "Lo, I am a Nazir for a hundred days,
  - B [if] he was made unclean on the hundredth day,
  - C he loses the whole [hundred days already observed].
  - D R. Eliezer says, "He loses only thirty days."
  - III E [If] he was made unclean on the hundred and first day, he loses thirty days.
    - F R. Eliezer says, "He loses only seven days."
- **3:5** A He who vowed to be a Nazirite while in a graveyard,
  - B even if he was there for thirty days—
  - C those days do not count for him toward the number [of days owing under the vow].
  - D Nor does he bring an offering for his uncleanness [for being in the graveyard].
  - E [If, however] he went out and then came back [into the graveyard, they do count for him toward the number [of required days].
  - F And he does bring an offering for his uncleanness.
  - G R. Eliezer says, "That is not the case if it is on the very same day, since it says, *But the former days shall be void* (Num. 6:12)—[the offering for uncleanness is brought] only when the former days apply to him."
- **3:6** A He who [while overseas] took a vow to be a Nazir for a long spell and completed his spell as a Nazir, and afterward came to the Land [of Israel]—
  - B the House of Shammai say, "He is a Nazir for thirty days."
  - C And the House of Hillel say, "He is a Nazir as from the very beginning."
  - D *M'SH B*: Helene the Queen—her son went off to war, and she said, "If my son comes home from war whole and in one piece, I shall be a Nazir for seven years." Indeed her son did come home from war, and she was a Nazir for seven years. Then at the end of the seven years she went up to the Land. The House of Hillel instructed her that she should be a Nazir for another seven years. Then at the end of the seven years she was made unclean. So she turned out to be a Nazir for twenty-one years.
  - E Said R. Judah, "She was a Nazir only fourteen years."
- **3:7** A He concerning whom two groups of witnesses gave testimony—
  - B these testify that he took a vow to be a Nazir for two spells,
  - C and these testify that he took a vow to be a Nazir for five spells—
  - D the House of Shammai say, "The testimony is at variance, and no Naziriteship applies here at all."
  - E And the House of Hillel say, "In the sum of five are two spells. So let him serve out two spells of Naziriteship."
- **4:1** A He who said, "Lo, I am a Nazir," and his friend heard and said, "Me too," "Me too"—
  - B all of them are Nazirs.
  - C [If] the vow of the first was declared not binding, the vows of all of them are deemed not binding.
  - D [If the vow of the] last of them was declared not binding, the last of them is not bound, but all the rest of them remain bound.

- E [If] he said, "Lo, I am a Nazir," and his friend heard and said, "Let my mouth be like his mouth, and my hair like his hair," lo, this one is a Nazir M. 1:1A].
- I F [If he said], "Lo, I am a Nazir," and his wife heard and said, "Me too"—
  - G he annuls her vow, but his stands.
- II H [If the wife said,] "Lo, I am a Nazir," and her husband heard and said, "Me too," he cannot annul [her vow].
- **4:2** I A "Lo, I am a Nazir,—and you?"

Π

- B and she said, "Amen,"
- C he annuls hers, but his stands.
- D [If she said,] "Lo, I am a Nazir, and you?"
  - E and he said, "Amen,"
    - F he has not got the power to annul her vow.
- **4:3** A A woman who took a vow as a Nazir but nonetheless went around drinking wine and contracting corpse uncleanness—
  - B lo, this one receives forty stripes.
  - C [If] her husband annulled the vow for her, but she did not know that her husband had annulled it for her and nonetheless continued to go around drinking wine and contracting corpse uncleanness,
  - D she does not receive forty stripes.
  - E R. Judah says, "If she does not receive forty stripes, nonetheless, she should receive punishment for disobedience."
- **4:4** A A woman who took a vow to be a Nazir and set aside her beast [for the required sacrifice], but afterward her husband annulled her vow for her—
  - B now if the beast set aside for her belonged to him,
  - C it goes forth and pastures in the corral.
  - D But if the beast set aside for her belonged to her,
  - E the animal designated as a sin offering is left to die. And the animal designated as a burnt offering is offered as a burnt offering. And the animal designated as a peace offering is offered as a peace offering. It is eaten for one day [like a Nazir's peace offering], but it does not require bread offering [unlike a Nazir's offering].
  - F [Now if] she had coins which she had not designated for any specific purpose, they fall to a freewill offering.
  - G [If the] coins [were] designated [for a specific purpose]—
  - H those designated for a sin offering are to go off to the Salt Sea.
  - I They are not available for benefit, but the laws of sacrilege do not apply to them.
  - J The coins set aside for the purchase of a burnt offering are used for the bringing of a burnt offering.
  - K And they are subject to the laws of sacrilege.
  - L The coins set aside for the purchase of a peace offering are used for the bringing of a peace offering.
  - M And [the animal] is eaten for one day and does not require a bread offering.
- **4:5** A Once the blood of any one of the offerings has been tossed for her, he [the husband] cannot any longer annul the vow.

- B R. Aqiba says, "Even if any one of the beasts had been slaughtered in her behalf [but the blood not yet tossed], he cannot annul her vow."
- C Under what circumstances?
- D In the case of the hair offering of a woman who had remained clean.
- E But if it was the hair offering of a woman who had become unclean, he may annul her vow.
- F For he has the power to say, "I don't want a disgraceful wife."
- G Rabbi says, "Even in the case of a hair offering brought by a woman who had remained clean, he may annul the vow.
- H "For he has the power to say, 'I don't want a wife whose hair is shaved off.' "

## **4:6** A A man imposes a Nazirite vow upon his son, but a woman does not impose a Nazirite vow upon her son.

- B How so?
- C [If] he cut his hair, or his relatives cut his hair,
- D he objected [and would not keep the vow] or his relatives objected—
- E [if] he had a beast set apart [for his offering],
- F the beast set aside as a sin offering is left to die.
- G And the beast set aside as a burnt offering is offered as a burnt offering, and the one set aside as a peace offering is offered as a peace offering and eaten on one day and does not require a bread offering.
- H [If] he had set aside coins [for the purchase of his offerings, and they] had not yet been designated, they fall to the purchase of a freewill offering.
- I [If] the coins had been set aside and designated for particular purposes,
- J the coins set aside for the purchase of a sin offering go off to the Salt Sea. They are not available for benefit, but they are not subject to the laws of sacrilege.
- K The coins set aside for the purchase of a burnt offering are used for the bringing of a burnt offering, and they are subject to the laws of sacrilege.
- L The coins set aside for the purchase of a peace offering are used for the bringing of a peace offering, which is eaten on one day and does not require a bread offering.
- **4:7** A A man brings a hair offering [with offerings set aside] for the Naziriteship of his father, but a woman does not bring a hair offering [with offerings set aside] for the Naziriteship of her father.
  - B How so?
  - C He who had a father who was a Nazirite, who had set aside coins for the purchase of his sacrifices, which had not been designated for his particular Naziriteship offerings, and whose [father] died,
  - D and he said, "Lo, I am a Nazir on condition that I may bring a hair offering with the coins [set aside by] father"—
  - E Said R. Yose, "Lo, these coins fall to the purchase of a freewill offering.
  - F "This one does not bring a hair offering [with money set aside] for the Naziriteship of his father.
  - G "And what is the case in which one brings a hair offering [with money set aside] for the Naziriteship of his father?
  - H "He who, along with his father, was a Nazir,
  - I "and his father set aside coins which were not designated for the purchase of particular animals for the fulfillment of his Nazirite vow and [his father then] died—

- J "this is a case in which one brings a hair offering [with offerings set aside] for the Naziriteship of his father."
- **5:1** A The House of Shammai say, "[An act of] consecration done in error is binding [consecrated]."
  - B And the House of Hillel say, "It is not binding [consecrated]."
  - C How so?

Ι

- D [If] one said, "The black ox which goes out of my house first, lo, it is consecrated,"
- E and a white one went out—
  - F The House of Shammai say, "It is consecrated."
  - G And the House of Hillel say, "It is not consecrated."
- **5:2** II A "The gold *denar* which comes into my hand first, lo, it is consecrated,"
  - B and one of silver came up [into his hand]—
  - C the House of Shammai say, "It is consecrated."
  - D And the House of Hillel say, "It is not consecrated."
  - III E "The jug of wine which comes up into my hand first, lo, it is consecrated,"
    - F but one of oil came up—
      - G the House of Shammai say, "It is consecrated."
      - H And the House of Hillel say, "It is not consecrated."
- **5:3** A He who vowed to be a Nazir and sought absolution of a sage, who declared his vow to be binding
  - B counts out the days from the moment at which he took the vow.
  - C [If] he sought absolution from a sage, who declared him not bound,
  - D [if] he had a cow set aside,
  - E it goes forth and pastures with the herd [never having been consecrated].
  - F The House of Hillel said to the House of Shammai, "Do you not concede in this case, which is [an example of] an act of consecration made in error, that the beast goes forth and pastures with the herd [so is not consecrated]?"
  - G The House of Shammai said to them, "Do you not agree in the case of one who erred [in counting out the tithe of cattle] and called the ninth, tenth, and [called] the tenth, ninth, and [called] the eleventh, tenth, that it is [all three are] consecrated?"
  - H The House of Hillel said to them, "It is not the staff [which he used for counting out the cattle to name to tenth in sequence] which has rendered it consecrated.
  - I "Now if he had laid the staff on the eighth or on the twelfth, do you think he has done anything of consequence at all? But the Scripture which declared the tenth consecrated has declared the ninth and the eleventh consecrated as well."
- **5:4** A He who vowed to be a Nazir and went to bring his beast [for the sacrifice] and found that it was stolen,
  - B if before his beast was stolen he took the vow as a Nazirite, lo, this one is a Nazir.
  - C And if after his beast was stolen he took the vow as a Nazirite, he is not a Nazir.
  - D And this error did Nahum the Mede make:
  - E When Nazirites came up from the Exile and found that the Temple had been destroyed, Nahum the Mede said to them, "Now if you had known that the Temple was destroyed, would you have taken vows to be Nazirs?"
  - F They said to him, "No."

- G Nahum the Mede declared them unbound [by the Nazirite vow].
- H But when the matter came to sages, they said to him, "Whoever took a Nazirite vow before the Temple was destroyed is a Nazir.
- I "And whoever did so after the Temple was destroyed is not a Nazir."
- 5:5 A [If people] were going along the way and someone was coming toward them—
  - B one of them said, "Lo, I am a Nazir if this is so-and-so,"
  - C and one of them said, "Lo, I am a Nazir if this is not so-and-so."
  - D "Lo, I am a Nazir if one of you is a Nazir."
  - E "Lo, I am a Nazir if neither one of you is a Nazir,"
  - F "... if both of you are Nazirs,"
  - G "... if all of you are Nazirs,"
  - H the House of Shammai say, "All of them are Nazirs."
  - I And the House of Hillel say, "A Nazir is only one whose statement was not confirmed."
  - J And R. Tarfon says, "None of them is a Nazir."
- 5:6 A [If] he turned away suddenly, he is not a Nazir.
  - B R. Simeon says, "Let him say, 'If it was in accord with my statement, lo, I am a Nazir out of obligation, and if not, lo, I am a Nazir out of free will.""
- 5:7 A [If] one saw a *koy* and said, "Lo, I am a Nazir if this is a wild beast."
  - B "Lo, I am a Nazir if this is not a wild beast."
  - C "Lo, I am a Nazir if this is a domesticated beast."
  - D "Lo, I am a Nazir if this is not a domesticated beast."
  - E "Lo, I am a Nazir if this is a wild beast and a domesticated beast."
  - F "Lo, I am a Nazir if this is *not* a wild beast and a domesticated beast."
  - G "Lo, I am a Nazir if one of you is a Nazir."
  - H "Lo, I am a Nazir if none of you is a Nazir."
  - I "Lo, I am a Nazir if all of you are Nazirs,"—
  - J lo, all of them are Nazirs.
- **6:1** A Three things are prohibited to a Nazir: [corpse] uncleanness, cutting the hair, and anything which goes forth from the grapevine.
  - B And: anything which exudes from the grapevine joins together with anything else which exudes from the grapevine [to form a volume prohibited for use].
  - C And one is liable only if he will eat about an olive's bulk of grapes.
  - D The first *Mishnah*: Until he drinks a quarter-*log* of wine.
  - E R. Aqiba says, "Even if he dunked his bread into wine and there is in what is sopped up enough to join together to be in the volume of an olive's bulk, he is liable."
- **6:2** A And he is liable (1) for wine by itself, (2) for grapes by themselves, (3) for grape pits (*harsanim*) by themselves, and (4) for grape skins (*zaggim*) by themselves.
  - B R. Eleazar b. Azariah says, "He is liable [in the case of (3) and (4)] only if he will eat two pits and their skin [that covers them]."
  - C What are grape pits and what are grape skins?
  - D "Zaggim are what is outside, and harsanim are what is inside," the words of R. Judah.
  - E R. Yose says, "That you not err:
  - F "It is like the bell of cattle:

- G "What is outside is the hood, and what is inside is the clapper."
- **6:3** A A Nazirite vow for an unspecified period of time is [to apply] for thirty days.
  - B [If] he cut his hair, or thugs forcibly cut his hair, he loses thirty days.
  - C A Nazir who cut his hair, whether with scissors or with a razor, or who pulled out any hair whatsoever is liable.
  - D A Nazir shampoos and parts his hair [with his fingers], but he does not comb his hair.
  - E R. Ishmael says, "He should not shampoo his head in the dirt,
  - F "because it makes the hair fall out."

- I A A Nazir who was drinking wine all day long is liable only on one count.
  - B [If] they said to him, "Don't drink it!" "Don't drink it!" and he continues drinking, he is liable on each and every count [of drinking].
  - II C [If] he was cutting his hair all day long, he is liable only on a single count.
    - D [If] they said to him, "Don't cut it!" "Don't cut it!" and he continued to cut his hair, he is liable for each and every count [of cutting].
  - III E [If] he was contracting corpse uncleanness all day long, he is liable on only one count.
    - F If they said to him, "Don't contract corpse uncleanness!" "Don't contract corpse uncleanness!" and he continued to contract corpse uncleanness, he is liable for each and every count.
- **6:5** A Three things are prohibited to a Nazir: [corpse] uncleanness, cutting the hair, and anything which goes forth from the grapevine [= M. 6:1A].
  - I B A more strict rule applies to corpse uncleanness and haircutting than applies to that which comes forth from the grapevine.
    - C For corpse uncleanness and haircutting cause the loss of the days already observed, but [violating the prohibition against] that which goes forth from the vine does not cause the loss of the days already observed.
  - II D A more strict rule applies to that which goes forth from the vine than applies to corpse uncleanness and haircutting.
    - E For that which goes forth from the vine allows for no exception, but corpse uncleanness and haircutting allow for exceptions,
    - F in the case of [cutting the hair for] a religious duty and in the case of finding a neglected corpse [with no one else to provide for burial, in which case, the Nazir is absolutely required to bury the corpse].
  - III G A more strict rule applies to corpse uncleanness than to haircutting.
    - H For corpse uncleanness causes the loss of all the days previously observed and imposes the liability for an offering.
      - I But haircutting causes the loss of only thirty days and does not impose liability for an offering.
- **6:6** A Cutting off the hair on account of contracting corpse uncleanness: how [is it done]?
  - B "One would sprinkle [with purification water] on the third and seventh day and cut off his hair on the seventh day and bring his offerings on the eighth day.
  - C "But if he cut off his hair on the eighth day, he brings his offerings on that same day," the words of R. Aqiba.
  - D Said R. Tarfon, "What is the difference between this one and a *mesora*?"

- E He said to him, "In the case of this one, cleaning him is contingent on the passing of his [seven] days, but in the case of the *mesora*, declaring him clean is contingent [in addition] upon his haircutting.
- F "And he [the Nazir] brings an offering only when the sun has set after conclusion of his purification rite."
- **6:7** A The cutting of hair in the case of [completing the vow in a state of] cleanness: How is it done?
  - B One would bring three beasts, a sin offering, a burnt offering, and a peace offering [Num. 6:14].
  - C "And he would slaughter the peace offering and cut off his hair after their [slaughter]," the words of R. Judah.
  - D R. Eleazar says, "He would cut his hair only after the sin offering.
  - E "For the sin offering takes precedence under all circumstances."
  - F But if he cut his hair after any one of the three of them, he has carried out his obligation.
- **6:8** A Rabban Simeon b. Gamaliel says, "[If] one brought three beasts and did not specify [their purposes, respectively],
  - B "that which is suitable to serve as a sin offering [a ewe-lamb in its first year] is offered as a sin offering, [that which is suitable to serve as] a burnt offering [a he-lamb in its first year] is offered as a burnt offering, and (that which is suitable to serve as] a peace offering [a ram two years old] is offered as a peace offering."
  - C He would take *the hair of the head of his separation* (Num. 6:18) and cast it under the cauldron [in which the peace offering is cooked].
  - D And if he cut it off in the provinces, he would [in any event] cast it under the cauldron.
  - E Under what circumstances?
  - F In the case of [completing the vow and] cutting the hair in a state of cleanness.
  - G But in the case of cutting the hair in a state of uncleanness, he would not cast it under the cauldron.
  - H R. Meir says, "All cast hair under the cauldron except only for one who was unclean [and who cut off his hair outside the Temple] in the provinces."
- **6:9** A He would cook the peace offerings or seethe it.
  - B The priest takes the cooked shoulder of the ram and one unleavened cake out of the basket and one unleavened wafer and put them in the hand of the Nazir (Num. 6:19).
  - C And he waves them.
  - D And afterward the Nazir was permitted to drink wine and to contract corpse uncleanness.
  - E R. Simeon says, "Once the blood of any one of the sacrifices has been tossed in his behalf, the Nazir was permitted to drink wine and to contract corpse uncleanness."
- **6:10** I A [If] he cut off his hair after a sacrifice and it turned out to be invalid, his cutting of the hair is invalid, and his sacrifices have not gone to his credit.
  - II B [If] he cut his hair after a sin offering made not for its own name [under an incorrect designation], and afterward he brought his [other] offerings under their proper designation,
    - C his cutting of the hair is invalid, and his sacrifices have not gone to his credit.

- III D [If] he cut his hair after the burnt offering or the peace offering not properly designated and afterward he brought his [other] offerings under their proper designation,
  - his cutting of the hair is invalid, and his sacrifices have not gone to his credit.
  - E R. Simeon says, "That particular sacrifice has not gone to his credit, but the other sacrifices have gone to his credit."
  - F And if he cut his hair after all three of them and one of them turned out to be valid, his cutting of the hair is valid, and he brings the other sacrifices.
- **6:11** A He in whose behalf one of the drops of blood has been properly tossed and who [then] was made unclean—
  - B R. Eliezer says, "He loses the whole [set of offerings already offered up]."
  - C And sages say, "Let him bring the rest of his offerings when he becomes clean."
  - D They said to him, *M'SH B*: "In behalf of Miriam of Tadmor [Palmyra] one of the drops of blood was properly tossed, and they came and told her that her daughter was dying, and she found her dead.
  - E "And sages said, 'Let her bring the rest of her offerings when she will be clean.""
- **7:1** A A high priest and a Nazir do not contract corpse uncleanness on account of [burying even] their close relatives.
  - B But they do contract corpse uncleanness on account of a neglected corpse.
  - C [If] they were going along the way and found a neglected corpse—
  - D R. Eliezer says, "Let a high priest contract corpse uncleanness, but let a Nazir not contract corpse uncleanness."
  - E And sages say, "Let a Nazir contract corpse uncleanness, but let a high priest not contract corpse uncleanness."
  - F Said to them R. Eliezer, "Let a priest contract corpse uncleanness, "for he does not have to bring an offering on account of his uncleanness.
    - "But let a Nazir not contract corpse uncleanness,

"for he does have to bring an offering on account of his uncleanness."

- G They said to him, "Let a Nazir contract corpse uncleanness, "for his sanctification is not a permanent sanctification, "but let a priest not contract corpse uncleanness, "for his sanctification is a permanent sanctification."
- **7:2** A On account of what sorts of uncleanness does the Nazir cut his hair [and bring an offering for having become unclean]?
  - B (1) On account of a corpse, and (2) on account of an olive's bulk of flesh from a corpse, and (3) on account of an olive's bulk of corpse matter, and (4) on account of a ladleful of corpse mould;
  - C (5) on account of the backbone, and (6) on account of the skull, and (7) on account of a limb of a corpse, and (8) on account of a limb cut from a living human being on which is still proper flesh;
  - D and (9) on account of a half-qab of bones, and (10) on account of a half-log of blood
  - E on account of touching them, and on account of carrying them, and on account of overshadowing them;
  - F and on account of a bone, the bulk of a barley seed—
  - G on account of touching it and on account of carrying it.

- H On account of these the Nazir cuts his hair and is sprinkled on the third and seventh day [after contamination].
- I And he loses the prior days which he has observed.
- J And he begins to count [clean days] only after he is made clean and brings his offerings.
- **7:3** A But as to [uncleanness contracted by overshadowing] (1) interlaced foliage, (2) projecting stones, (3) a grave area, (4) foreign land, (5) the sealing stone and (6) the buttressing stone [of a grave],
  - B a quarter-*log* of blood, and a Tent, and a quarter-*qab* of bones, and utensils which touch a corpse,
  - C and because of the days of counting [after producing a symptom of *saraat* (Lev. 14:8)] and the days during which he is certified [unclean with *saraat*]—
  - D on account of these, the Nazir does not cut his hair or sprinkle himself on the third and seventh days and he does not lose the prior days [observed in cleanness].
  - E And he begins to count forthwith [after immersion and sunset]
  - F And he is not subject to bringing an offering.
  - G Truly did they rule: The days [of uncleanness] by reason of being a *Zab* or a *Zabah* [Lev. 15:2, 25, 28], and the days of being shut up as a *mesora* [Lev. 13:45]— lo, these [nonetheless] go to his credit [in counting out his Nazir days].
- **7:4** A Said R. Eleazar in the name of R. Joshua, "For every form of corpse uncleanness on account of which a Nazir cuts his hair are people liable on account of entering the sanctuary.
  - B "And for every form of corpse uncleanness on account of which a Nazir does not cut his hair, people are not liable on account of coming into the sanctuary."
  - C Said R. Meir, "Let this matter not be less stringent [than when uncleanness is contracted] from a dead creeping thing."
  - D Said R. Aqiba, "I reasoned before R. Eliezer as follows:
  - E "Now if on account of a bone the bulk of a barley kernel, which does not impart uncleanness to man in a Tent, a Nazir nonetheless cuts his hair for touching or carrying it [M. 7:2F-G],
  - F "a quarter-log of blood, which does impart uncleanness to man in a Tent—
  - G "is it not logical that a Nazir should cut off his hair for having touched or carried it [vs. M. 7:3B]?"
  - H "He said to me, 'Now what's going on, <sup>c</sup>Aqiba. In this area of law people don't adduce arguments *a fortiori* at all!'
  - I "But when I came and laid matters out before R. Joshua, he said to me, 'You stated matters very well. But thus have they ruled that the law should be."
- 8:1 A Two Nazirs, to whom someone said, "I saw one of you made unclean, but I don't know which one of you it was"—
  - B they cut their hair and bring an offering, [owed by a Nazirite] because of uncleanness and an offering because of cleanness.
  - C And each one of them says, "If it was I who was unclean, the offering because of uncleanness is mine, and the offering because of cleanness is yours. And if it was I who was the clean one, then the offering of cleanness is mine, and the offering of uncleanness is yours."
  - D Then they count out thirty days and bring an offering because of cleanness.

- E And each of them says, "If it was I who was unclean, the offering because of uncleanness was mine and the offering of cleanness was yours, and this offering is now because of my being clean. But if it was I who was the clean one, the offering because of uncleanness was mine, and the offering because of cleanness was yours, and this offering now is because of your being clean."
- F If one of them died—
- G Said R. Joshua, "Let [the survivor] seek out someone from the market to take a vow as a Nazir as his counterpart, and let him say, 'If I was unclean, lo, you are a Nazir forthwith. And if I was clean, lo, you will be a Nazir after thirty days.' Then they count thirty days and bring an offering because of uncleanness and an offering because of cleanness.
- H "And he says, 'If I was the one who was unclean, the offering because of uncleanness is mine, and the offering because of cleanness is yours, and if I was the clean one, then the offering because of cleanness is mine, and the offering because of uncleanness is subject to doubt.'
- I "And they count out another thirty days and bring an offering because of cleanness.
- J "And he says, 'If I was the one who was unclean, then the offering because of uncleanness was mine, and the offering because of cleanness was yours, and this is the offering because of my being clean. And if I was the one who was clean, then the offering because of cleanness was mine, and the offering because of uncleanness is subject to doubt. And this is the offering because of your being clean.' "
- K Said to him Ben Zoma, "But who in the world would agree to take a vow as a Nazir to serve as his counterpart?
- L "But he [alone, the surviving Nazir] offers a sin offering of fowl and a burnt offering of cattle and says, 'Now if I was the unclean one, the sin offering is offered in fulfillment of my obligation, and the burnt offering is a freewill offering. But if I was the clean one, then the burnt offering is in fulfillment of my obligation, and the sin offering is subject to doubt.'
- M "He counts out thirty days [more as a Nazir] and brings an offering because of cleanness and he says, 'If I was the unclean one, the first burnt offering was a freewill offering, and this one is in fulfillment of an obligation. But if I was the clean one, the first burnt offering was in fulfillment of an obligation, and this one is a freewill offering.
- N "And these are the rest of the offerings which I owe."
- O Said R. Joshua, "This one turns out to bring his offerings in bits and pieces."
- P But sages concurred with the opinion of Ben Zoma [M. 6:11].
- 8:2 A A Nazir who was subject to doubt as to being made unclean [on the day he took the vow] and subject to doubt as to being a confirmed [victim of *saraat*]
  - B eats Holy Things after sixty days [= two Nazirite periods].
  - C And he drinks wine and contracts corpse uncleanness after a hundred and twenty days [four Nazirite periods].
  - D For cutting of the hair in the case of a *nega* [*saraat*] overrides [the prohibition against] cutting the hair of the Nazir [only] when it [the *saraat*] is certain.
  - E But in a case when it is subject to doubt, it does not override [the other].
- **9:1** A Gentiles are not subject to the Nazirite vow.
  - B Women and slaves are subject to the Nazirite vow.
  - C A more strict rule applies to women than to slaves.
  - D For a master forces his slave [to be subject to a Nazirite vow], but a husband does not force his wife [to be subject to a Nazirite vow].

- E A more strict rule applies to slaves than to women.
- F For the husband has the right to annul the vows of his wife, but he does not [permanently] annul the vows of his slaves.
- G [If he annulled [the vow] of his wife, it is annulled for all time.
- H [If he annulled the vow of his slave,
- I [if] the slave went forth to freedom,
- J he has to complete his Nazirite vow.
- K [If] he escaped from his master—
- L R. Meir says, "He may not drink wine."
- M And R. Yose says, "He may drink wine."
- **9:2** A A Nazir who cut his hair and then [before he brought his offerings] learned that he had been unclean—
  - B if it was a known uncleanness,
  - C he loses [all the days he has counted in cleanness].
  - D But if it was an uncleanness located in the nethermost deep, he does not lose the days he already has counted out.
  - E If before he had cut his hair he learned that he had been made unclean, one way or the other, he loses the days he already has observed.
  - F How so?

Ι

- G [If] he went down to immerse in a cave, and a bit of corpse matter turned out to be floating at the mouth of the cave,
- H he is unclean.
- I [If] it was located imbedded in the floor of the cave—
- J [if] he had gone down only to cool himself in the water, he is deemed still clean.
- K [If he had gone down] to clean himself from corpse uncleanness, he is yet unclean.
- L For an unclean person is confirmed in the presumption of being unclean, and the clean one is confirmed in the presumption of being clean,
- M for there are grounds for such a decision [in either case].
- **9:3** A He who finds a corpse in the first instance lying in usual fashion removes it and the earth affected by it.
  - B [If] he found two, he removes them and the earth surrounding them.
  - C [If] he found three,
  - D if there are between one and the other from four to eight *amahs*,
  - E lo, this is deemed a graveyard.
  - F He examines the dirt twenty *amahs* from it.
  - G [If] he found a corpse at the end of the twenty *amahs*, he examines the dirt another twenty *amahs* from that corpse.
  - II H For there are grounds for such a decision.
    - I But if he had found it at the outset, he would have removed it and the dirt affected by it [= M. Oh. 16:3].

## **9:4** A Any matter of doubt concerning *negas* at the outset is ruled as clean before a decision has been made in favor of uncleanness.

B [But if] a decision has been made in favor of uncleanness, a matter of doubt in its regard is deemed unclean [M. Neg. 5:4].

- C In seven ways do they examine the *Zab* before he has been confirmed to be subject to *zibah*: In regard to food, drink, carrying things, jumping up and down, sickness, something he had seen, and something in his fantasy.
- D Once he has been confirmed as to *zibah*, they do not examine him.
- E Any flux he produces through inadvertence, or which is subject to doubt, or his semen is unclean.
- III F For there are grounds for such a decision M. Zab. 2:2.
  - G He who hits his friend and then reckoned that he would die and the friend got better than he was, but then he got worse and died—
    - H he [the one who hit him] is liable.
  - I R. Nehemiah says, "He is exempt.
- IV J "For there are grounds for such a decision" [M. San. 9:1].
- 9:5 A "Samuel was a Nazir," according to the words of R. Nehorai,
  - B "since it is said, And no razor [morah] shall come upon his head (I Sam. 1:11).
    - C "Since in regard to Samson it is said, [And no] razor [shall come upon his head] (Judges 13:5), and concerning Samuel it is said, And no razor ...,
    - D "just as the reference to *razor* in the case of Samson means that he was a Nazir, so the reference to a *razor* in the case of Samuel means that he was a Nazir."
    - E Said R. Yose, "But is not the word *morah* said only with regard to fear (*morah*) of a human being?"
    - F Said to him R. Nehorai, "But has it not already been said, *And Samuel said, How can I go? If Saul hears it, he will kill me* (I Sam. 16:2).
    - G "For he *was* subject to the *morah* of flesh and blood."

## SOTAH

- **1:1** A He who expresses jealousy to his wife [concerning her relations with another man (Num. 5:14)]—
  - B R. Eliezer says, "He expresses jealousy before two witnesses, and he imposes on her the requirement of drinking the bitter water on the testimony of a single witness or even on his own evidence [that she has been alone with the named man]."
  - C R. Joshua says, "He expresses jealousy before two witnesses, and he requires her to drink the bitter water on the testimony of two witnesses."
- **1:2** A How does he express jealousy to her?
  - B [If] he stated to her before two witnesses, "Do not speak with Mr. So-andso," and she indeed spoke with him,
  - C she is still permitted to have sexual relations with her husband and is permitted to eat heave offering.
  - D [If] she went with him to some private place and remained with him sufficient time to become unclean,
  - E she is prohibited from having sexual relations with her husband and is prohibited from eating heave offering.
  - F And if he [her husband] should die, she performs the rite of *halisah* but is not taken into levirate marriage.

- **1:3** A And these women are prohibited from eating heave offering:
  - B (1) She who says, "I am unclean to you," and (2) she against whom witnesses testified that she is unclean;
  - C and (3) she who says, "I shall not drink the bitter water," and (4) she whose husband will not force her to drink it;
  - D and (5) she whose husband has sexual relations with her on the way [up to Jerusalem for the rite of drinking the water].
  - E What should he do in respect to her?
  - F He brings her to the court in that place [in which they live], and [the judges] hand over to him two disciples of sages, lest he have sexual relations with her on the way.
  - G R. Judah says, "Her husband is trustworthy in regard to her [not to have sexual relations in this circumstance]—,'
- **1:4** A They would bring her up to the high court which is in Jerusalem and admonish her as they admonish witnesses in a capital crime.
  - B They say to her, "My daughter, much is done by wine, much is done by joking around, much is done by kidding, much is done by bad friends. For the sake of the great Name which is written in holiness, do it so that it will not be blotted out by water [Num. 5:23]."
  - C And they tell her things which neither she nor the family of her father's house should be hearing.
- **1:5** A [Now] if she said, "I am unclean," she gives a quittance for her marriage contract [which is not paid over to her], and goes forth [with a writ of divorce].
  - B And if she said, "I am clean," they bring her up to the eastern gate, which is at the entrance of Nicanor's Gate.
  - C There it is that they force accused wives to drink the bitter water,
  - D and they purify women after childbirth and purify lepers.
  - E And a priest grabs her clothes—if they tear, they tear, and if they are ripped up, they are ripped up—until he bares her breast.
  - F And he tears her hair apart [Num. 5:18].
  - G R. Judah says, "If she had pretty breasts, he did not let them show. And if she had pretty hair, he did not pull it apart."
- **1:6** A [if] she was clothed in white clothing, he puts black clothes on her.
  - B [If] she had gold jewelry, chains, nose rings, and finger rings on, they take them away from her to put her to shame.
  - C Then he brings a rope made out of twigs and ties it above her breasts.
  - D And whoever wants to stare at her comes and stares, except for her boy slaves and girl slaves, since in any case she has no shame before them.
  - E And all women are allowed to stare at her, since it is said, *That all women may be taught not to do after your lewdness* (Ezek. 23:48).
- **1:7** A By that same measure by which a man metes out [to others], they mete out to him:
  - B She primped herself for sin, the Omnipresent made her repulsive.
  - C She exposed herself for sin, the Omnipresent exposed her.
  - D With the thigh she began to sin, and afterward with the belly, therefore the thigh suffers the curse first, and afterward the belly.
  - E (But the rest of the body does not escape [punishment].

- **1:8** A Samson followed his eyes [where they led him], therefore, the Philistines put out his eyes, since it is said, *And the Philistines laid hold on him and put out his eyes* (Judges 16:21).
  - B Absalom was proud of his hair, therefore, he was hung by his hair [II Sam. 14:25–26].
  - C And since he had sexual relations with ten concubines of his father, therefore, they thrust ten spears into his body, since it is said, *And ten young men that carried Joab's armor surrounded and smote Absalom and killed him* (II Sam. 18:15).
  - D And since he stole three hearts—his father's, the court's, and the Israelites'—since it is said, *And Absalom stole the heart of the men of Israel* (II Sam. 15:6)— therefore, three darts were thrust into him, since it is said, *And he took three darts in his hand and thrust them through the heart of Absalom* (II Sam. 18:14).
- **1:9** A And so is it on the good side:

Ι

- B Miriam waited a while for Moses, since it is said, *And his sister stood afar off* (Ex. 2:4), therefore, Israel waited on her seven days in the wilderness, since it is said, *And the people did not travel on until Miriam was brought in again* (Num. 12:15).
- C Joseph had the merit of burying his father, and none of his brothers was greater than he, since it is said, And Joseph went up to bury his father ... and there went up with him both chariots and horsemen (Gen. 50:7, (9).
- D We have none so great as Joseph, for only Moses took care of his [bones].
- E Moses had the merit of burying the bones of Joseph, and none in Israel was greater than he, since it is said, *And Moses took the bones of Joseph with him* (Ex. 13:19).
- F We have none so great as Moses, for only the Holy One blessed be He took care of his [bones], since it is said, *And he buried him in the valley* (Dt. 34:6).
- G And not of Moses alone have they stated [this rule], but of all righteous people, since it is said, *And your righteousness shall go before you. The glory of the Lord shall gather you [in death]* (Is. 58:8).
- **2:1** A He [the husband (Num. 5:15)] would bring her meal offering in a basket of palm twigs and lay it into her hands to tire her out.
  - B All meal offerings at the outset and at the end are in a utensil of service.
  - C But this one at the outset is in basket of palm twigs, and at the end is in a utensil of service.
  - II D All meal offerings require oil and frankincense,
    - E But this one requires neither oil nor frankincense.
  - III F All meal offerings derive from wheat.
    - G But this one derives from barley.
      - H As to the meal offering of the omer: even though it [too] derives from barley, it would derive from sifted flour.
      - I But this one derives from unsifted flour.
      - J Rabban Gamaliel says, "Just as she acted like a cow, so her offering is food for a cow."
- **2:2** A He [the husband] would bring a new clay bowl and put in it a half-*log* of water from the laver.
  - B R. Judah says, "A quarter-*log*.
  - C As he [Judah] calls for less writing, so he calls for less water [M. 2:3H].
  - D And he [the priest] goes into the *heikhal* and turns to his right.
  - E Now there was a place, an *amah* by an *amah*, with a marble flagstone, and ring was attached to it.

- F And when he raised it [the stone], he took the dirt from under it and put it [into the bowl of water],
- G sufficient to be visible on the water,
- H since it says, And of the dust that is on the floor of the tabernacle the priest shall take and put it into the water (Num. 5:17).
- **2:3** A He came to write the scroll.
  - B From what place did he write?
  - C From *If no man has lain with thee* ... but if thou hast gone aside with another instead of thy husband ... (Num. 5:19f.).
  - D But he does not write, And the priest shall cause the woman to swear (Num. 5:21).
  - E And he writes, *The Lord make thee a curse and an oath among thy people ... and this water that causeth the curse shall go into thy bowels and make thy belly to swell and thy thigh to fall away.*
  - F But he does not write, "And the woman shall say, Amen, Amen!"
  - G R. Yose says, "He made no break."
  - H R. Judah says, "He writes, in fact, only, *The Lord make thee a curse and an oath ... and this water that causeth the curse shall go into thy bowels ...*
  - I "And he did not write, And the woman shall say, Amen, Amen!"
- **2:4** A He writes (1) neither on a tablet, (2) nor on papyrus, (3) nor on unprepared hide but only on [parchment] scroll,
  - B since it is written, *In a book* (Num. 5:23).
  - C And he writes (1) neither with gum, (2) nor with copperas, (3) nor with anything which makes a lasting impression [on the writing material] but only with ink,
  - D since it is written, And he will blot it out—
  - E writing which can be blotted out.
- **2:5** A To what does she say, *Amen, Amen?* 
  - B (1) "Amen to the curse" [Num. 5:21], (2) "Amen to the oath" [Num. 5:19].
  - C (3) "*Amen* that it was not with this particular man" (4) "*Amen* that it was with no other man."
  - D (5) "*Amen* that I have not gone aside while betrothed, married, awaiting levirate marriage, or wholly taken in levirate marriage."
  - E (6) "*Amen* that I was not made unclean, and if I was made unclean, may it [the bitter water] enter into me."
  - F R. Meir says, "*Amen* that I was not made unclean, *Amen* that I shall not be made unclean."
- **2:6** A All concur that he [the husband] may make no condition with her about anything which happened before she was betrothed or after she may be divorced.
  - B [If after she was put away], she went aside with some other man and became unclean, and afterward he [the first husband] took her back, he makes no condition with her [concerning such an event].
  - C This is the general principle: Concerning any situation in which she may have sexual relations in such wise as not to be prohibited [to her husband] he [the husband] may make no condition whatsoever with her.

- **3:1** A He would take her meal offering from the basket made of twigs and put it into a utensil of service and lay it into her hands.
  - B And a priest puts his hand under hers and waves it [the meal offering].
- **3:2** A He waved it [Num. 5:25] and brought it near the altar.
  - B He took a handful [of the meal offering] and burned it up [on the altar].
  - C And the residue is for the eating of the priests.
  - D He would give her the water to drink.
  - E And [only] afterward he would offer up her meal offering.
  - F R. Simeon says, "He would offer up her meal offering.
  - G "And afterward he would give her the water to drink,
  - H "since it is said, And afterward he gives the woman the water to drink (Num. 5:26).
  - I "But if he gave her the water to drink and afterward he offered up her meal offering, it is valid."
- **3:3** I A [If] before the scroll is blotted out, she said, "I am not going to drink the water," her scroll is put away, and her meal offering is scattered on the ashes.
  - B But her scroll is not valid for the water ordeal of another accused wife.
  - II C [If] her scroll was blotted out and then she said, "I am unclean," the water is poured out, and her meal offering is scattered on the ashes.
  - III D [If] her scroll was blotted out and then she said, "I am not going to drink it," they force her and make her drink it against her will.
- **3:4** A She hardly has sufficed to drink it before her face turns yellow, her eyes bulge out, and her veins swell.
  - B And they say, "Take her away! Take her away!"
  - C so that the Temple court will not be made unclean [by her corpse].
  - D [But if nothing happened], if she had merit, she would attribute [her good fortune] to it.
  - E There is the possibility that merit suspends the curse for one year, and there is the possibility that merit suspends the curse for two years, and there is the possibility that merit suspends the curse for three years.
  - F On this basis Ben Azzai says, "A man is required to teach Torah to his daughter.
  - G "For if she should drink the water, she should know that [if nothing happens to her], merit is what suspends [the curse from taking effect]."
  - H R. Eliezer says, "Whoever teaches Torah to his daughter is as if he teaches her sexual satisfaction."
  - I R. Joshua says, "A woman wants a *qab* [of food] with sexual satisfaction more than nine *qabs* with abstinence."
  - J He would say, "A foolish saint, a smart knave, an abstemious woman,
  - K "and the blows of abstainers (*perushim*)—
  - L "lo, these wear out the world."
- **3:5** A R. Simeon says, "Merit does not suspend the effects of the bitter water.
  - B "And if you say, 'Merit does suspend the effects of the bitter water,' you will weaken the effect of the water for all the women who have to drink it.
  - C "And you give a bad name to all the women who drink it who turned out to be pure.
  - D "For people will say, 'They are unclean, but merit suspended the effects of the water for them.""

E	Rabbi says, "Merit does suspend the effects of the bitter water.
	"But she will not bear children or continue to be pretty. And she will waste away, and in
	the end she will have the same [unpleasant] death."

- **3:6** A [If] her meal offering was made unclean before it was sanctified in a utensil,
  - B lo, it is in the status of all other such meal offerings and is to be redeemed.
  - C And [if this takes place] after it is sanctified in a utensil,
  - D lo, it is in the status of all other such meal offerings and is to be burned.
  - E And these are the ones whose meal offerings are to be burned:
  - F (1) the one who says, "I am unclean to you," and (2) the one against whom witnesses come to testify that she is unclean;
  - G (3) the one who says, "I am not going to drink the water," and (4) the one whose husband does not want to make her drink it;
  - H and (5) the one whose husband has sexual relations with her on the way to Jerusalem [M. 1:3].
  - I (6) And all those who are married to priests—their meal offerings are burned.

- A An Israelite girl who is married to a priest—her meal offering is burned.
- B And a priest girl who is married to an Israelite—her offering is eaten [by the priests].
  - C What is the difference between a priest and a priest girl?
- I D The meal offering of a priest girl is eaten, the meal offering of a priest is not eaten.
- II E The priest girl may be deconsecrated [declassed], but a priest may not be deconsecrated [declassed].
- III F A priest girl contracts corpse uncleanness, and a priest does not contract corpse uncleanness.
- IV G A priest eats Most Holy Things, but a priest girl does not eat Most Holy Things.

**3:8** A What is the difference between a man and a woman?

- I B A man goes around with unbound hair and torn garments, but a woman does not go around with unbound hair and torn garments [Lev. 13:44–5].
- II C A man imposes a Nazirite vow on his son, and a woman does not impose a Nazirite vow upon her son [M. Naz. 4:6].
- III D A man brings the hair offering for the Nazirite vow of his father, and a woman does not bring a hair offering for the Nazirite vow of her father (M. Naz. 4:7].
- IV E The man sells his daughter, and the woman does not sell her daughter [Ex. 21:6].
- V F The man arranges for a betrothal of his daughter, and the woman does not arrange for the betrothal of her daughter [M. Qid. 2:1].
- VI G A man [who incurs the death penalty] is stoned naked, but a woman is not stoned naked.
- VII H A man is hanged [after being put to death], and a woman is not hanged [M. San. 6:3–4].
- VIII I A man is sold [to make restitution] for having stolen something, but a woman is not sold to [make restitution] for having stolen something [Ex. 22:2].

**4:1** A A betrothed girl and a deceased childless brother's widow awaiting levirate marriage neither undergo the ordeal of drinking the bitter water nor receive a marriage contract,

B since it is written, When a wife, being subject to her husband, goes astray (Num. 5:29) —

- C excluding the betrothed girl and the deceased childless brother's widow awaiting levirate marriage.
- D A widow married to a high priest, a divorcée and a woman who has undergone the rite of *halisah* married to an ordinary priest, a *mamzer* girl and a *Netinah* girl married to an Israelite, an Israelite girl married to a *mamzer* or to a *Netin*
- E neither undergo the ordeal of drinking the bitter water nor receive a marriage contract.
- **4:2** A And these do not undergo the ordeal of drinking the bitter water or receive a marriage contract:
  - B She who says, "I am unclean," or against whom witnesses came to testify that she is unclean;
  - C and she who says, "I will not drink."
  - D [If, however,] her husband said, "I will not make her drink,"
  - E or [if] her husband had sexual relations with her on the way [to Jerusalem],
  - F she receives her marriage contract and does not undergo the ordeal of drinking the bitter water.
  - G [If] their husbands died before they drank the bitter water—
  - H The House of Shammai say, "They receive the marriage contract and do not undergo the ordeal of drinking the bitter water."
  - I And the House of Hillel say, "They do not undergo the ordeal of drinking the bitter water and do not receive the marriage contract."
- **4:3** A "A woman who was pregnant by another husband [who died or divorced the woman] and a woman who was giving suck to a child by another husband do not undergo the ordeal of drinking the bitter water and do not receive the marriage contract," the words of R. Meir.
  - B And sages say, "He has the power to set her apart and then to take her back after a while."
  - C A barren woman and a woman past menopause, and a woman who cannot give birth do not undergo the ordeal of drinking the bitter water and do not receive the marriage contract.
  - D R. Eliezer says, "He has the power to marry another woman for purposes of procreation."
  - E And all other women either undergo the ordeal of drinking the bitter water or do not collect the marriage contract.
- **4:4** A The wife of a priest drinks the bitter water and [if proved innocent] is permitted [to go back] to her husband.
  - B The wife of a eunuch undergoes the ordeal of drinking the bitter water.
  - C On account of [men in] all sorts of prohibited relationships [to the woman] are wives subjected to warning,
  - D except for a minor,
  - E and for one who is not human.
- **4:5** A And these are the women whom a court subjects to warning [in behalf of the husband]:
  - B A woman whose husband became a deaf-mute or an imbecile, or was imprisoned—
  - C not to impose upon her the ordeal of drinking the water did they state the rule but to invalidate her for receiving her marriage contract.
  - D R. Yose says, "Also: to impose upon her the ordeal of drinking the water.
  - E "When her husband goes free from prison, he may then impose the ordeal of drinking the bitter water."

- 5:1 A "Just as the water puts her to the proof, so the water puts him [the lover] to the proof,
  - B "since it is said, And it shall come ..., And it shall come ... (Num. 5:22, 5:24).
  - C "Just as she is prohibited to the husband, so she is prohibited to the lover,
  - D "since it is said, *And she will be unclean* ..., *And she will be unclean* ... (Num. 5:27, (29)," the words of R. Aqiba.
  - E Said R. Joshua, "Thus did Zekhariah b. Haqqassab expound [the Scripture]."
  - F Rabbi says, "The two times at which, *If she is made unclean* ..., *She is made unclean* ... are stated in the pericope refer, one to the husband and one to the lover."
- **5:2** I A On that day did R. Aqiba expound as follows: "And every earthen vessel whereinto any of them falls, whatsoever is in it conveys uncleanness (Lev. 11:33). "It does not say, It will be unclean but will convey uncleanness—that is, to impart uncleanness to other things.
  - B "Thus has Scripture taught concerning a loaf of bread unclean in the second remove, that it imparts uncleanness in the third remove [to a loaf of bread with which it comes into contact]—,'
  - C Said R. Joshua, "Who will remove the dirt from your eyes, Rabban Yohanan b. Zakkai? For you used to say, 'Another generation is going to come to declare clean a loaf of bread in the third remove [from the original source of uncleanness].
  - D "'For there is no Scripture in the Torah which indicates that it is unclean.'
  - E "But now has not Aqiba, your disciple, brought Scriptural proof from the Torah that it is indeed unclean,
  - F "since it is said, And whatsoever is in it shall impart uncleanness (Lev. 11:33)?"
  - **3** II A On that day did R. Aqiba expound as follows: "And you shall measure without the city for the east side two thousand cubits ... (Num. 35:5). And another Scripture says, From the wall of the city and outward a thousand cubits round about (Num. 35:4).
    - B "It is not possible to state that the required measure is a thousand *amahs*, for two thousand *amahs* already have been specified.
    - C "But it is not possible to state that the required measure is two thousand *amahs*, for one thousand *amahs* already have been specified.
    - D "So how shall we rule?
    - E "A thousand *amahs* form the outskirts, while two thousand *amahs* form the Sabbath limit."
    - F R. Eliezer the son of R. Yose the Galilean says, "A thousand *amahs* form the outskirts, and two thousand *amahs* cover the surrounding fields and vineyards."
- **5:4** III A On that day did R. Aqiba expound as follows: "*Then sang Moses and the children of Israel this song unto the Lord and spoke saying, (Ex.* 15:1).
  - B "Now Scripture hardly needs to add, *Saying*.
  - C "And why does Scripture state, *Saying*?
  - D "It thereby teaches that the Israelites responded word by word after Moses,
  - E "as they do when they read the *Hallel* psalms.
  - F "Therefore *Saying* is stated in this context."
  - G R. Nehemiah says, "[They did so] as they do when they read the *Shema*, not as when they read the *Hallel*."

- **5:5** A On that day did R. Joshua b. Hurqanos expound as follows: "Job served the Holy One, blessed be He, only out of love,
  - B "since it is said, *Though he slay me, yet will I wait for him* (Job 13:15).
  - C "But still the matter is in doubt [as to whether it means], 'I will wait for him,' or 'I will not wait for him.'
  - D "Scripture states, *Until I die I will not put away mine integrity from me* (Job. 27:5).
  - E "This teaches that he did what he did out of love."
  - F Said R. Joshua, "Who will remove the dirt from your eyes, Rabban Yohanan b. Zakkai? For you used to expound for your entire life that Job served the Omnipresent only out of awe,
  - G "since it is said, *The man was perfect and upright and one who feared God and avoided evil* (Job. 1:8).
  - H "And now has not Joshua, the disciple of your disciple, taught that he did what he did out of love."
- **6:1** A He who expressed jealousy to his wife,
  - B but she went aside in secret,
  - C "even if he heard [that she had done so] from a bird flying by—
  - D "he puts her away but pays off her marriage contract," the words of R. Eliezer.
  - E R. Joshua says, "[He does so] only if the women who spin their yarn by moonlight trade stories about her."
- **6:2** A [If] one witness said, "I saw that she was made unclean,"
  - B she would not undergo the ordeal of drinking the bitter water.
    - C And not only so, but even if it was a boy slave or a girl slave, lo, these are believed even to invalidate her [from receiving payment of] her marriage contract.
    - D As to her mother-in-law and the daughter of her mother-in-law, her co-wife, and the husband's brother's wife, and the daughter of her husband,
    - E lo, these are believed [cf. M. Yeb. 15:4]—
    - F not to invalidate her from receiving payment of her marriage contract, but that she should not undergo the ordeal of drinking the bitter water.
- 6:3 A For logic might dictate as follows [vis à vis M. 6:2A-B]: Now, if, in the case of the first kind of testimony [that she has been warned not to get involved with such-and-such a man], which does not impose upon her a permanent prohibition [but only until she has undergone the ordeal of the bitter water], [the accusation] is not sustained by less than two witnesses,
  - B in the case of the second kind of testimony [that she has indeed been made unclean], which does impose upon her a permanent prohibition [against remaining wed to her husband], surely [the accusation] should not be sustained by less than two witnesses.
  - C But Scripture says, *And there is no witness against her* (Num. 5:13)—[meaning], any sort of testimony which there is against her.
  - D On these grounds we may now construct an argument from the less to the greater with reference to the first kind of testimony:
  - E Now if the second kind of testimony, which imposes upon her a permanent prohibition, lo, is sustained by a single witness, the first kind of testimony, which does not impose upon her a permanent prohibition, surely should be sustained by means of a single witness.
  - F But Scripture says, *Because he has found some unseemly matter in her* (Dt. 24:1), and elsewhere it says, *At the mouth of two witnesses shall a matter be established* (Dt. 19:15)—

just as *matter* spoken of there requires two witnesses, so *matter* spoken of here requires two witnesses.

- **6:4** I A [If] one witness says, "She was made unclean," and one witness says, "She was not made unclean,"
  - B [if] one woman says, "She was made unclean," and one woman says, "She was not made unclean,"
  - C she would undergo the ordeal of drinking the bitter water.
  - II D [If] one witness says, "She was made unclean," and two witnesses say, "She was not made unclean," she would undergo the ordeal of drinking the bitter water.
  - III E [If] two say, "She was made unclean," and one says, "She was not made unclean," she would not undergo the ordeal of drinking the bitter water.
- **7:1** A These are said in any language: (1) the pericope of the accused wife [Num. 5:19–22], and (2) the confession of the tithe [Dt. 26:13–15], and (3) the recital of the *Shema*, [Dt. 6:4–9], and (4) the Prayer, (5) the oath of testimony, and (6) the oath concerning a bailment.
- **7:2** A And these are said [only] in the Holy Language: (1) the verses of the firstfruits [Dt. 26:3–10], (2) the rite of *halisah* [Dt. 25:7, 9], (3) blessings and curses [Dt. 27:15–26], (4) the blessing of the priests [Num. 6:24–26], (5) the blessing of a high priest [on the Day of Atonement], (6) the pericope of the king [Dt. 17:14–20];
  - B (7) the pericope of the heifer whose neck is to be broken [Dt. 21:7f.], and (8) [the message of] the anointed for battle when he speaks to the people [Dt. 20:2–7].
- **7:3** A *The verses of the first fruits* [M. 7:2A1]—how so?
  - B And you will answer and say before the Lord thy God (Dt. 26:5).
  - C And later on it says, And the priests will answer and say (Dt. 27:14).
  - D Just as *answering* which is said in that later passage is in the Holy Language, so *answering* which is said here [in reference to the firstfruits] is in the Holy Language.
- **7:4** A *The rite of halisah* [M. 7:2A2]—how so?
  - B And she will answer and say (Dt. 25:9).
  - C And later on it says, And the Levites will answer and say (Dt. 27:14).
  - D Just as later on *answering* is to be in the Holy Language, so here *answering* is to be said in the Holy Language.
  - E R. Judah says, "*And she will answer and say, Thus*—[so it is not valid] unless she says precisely these words."
- **7:5** A *Blessings and curses* [M. 7:2A3]—how so?
  - B When Israel came across the Jordan and arrived before Mount Gerizim and before Mount Ebal in Samaria, near Shechem, beside the oak of Moreh,—
  - C as it is written, *Are they not beyond the Jordan* ... (Dt. 11:30 and elsewhere it says, *And Abram passed through the land to the place of Shechem to the oak of Moreh* (Gen. 12:6)—just as the oak of Moreh spoken of there is at Shechem, so the oak of Moreh spoken of here is at Shechem—)
  - D six tribes went up to the top of Mount Gerizim, and six tribes went up to the top of Mount Ebal.

- E And the priests and Levites and ark of the covenant stood at the bottom, in the middle [between two mountains].
- F The priests surround the ark, and the Levites [surround] the priests, and all Israel are round about, since it says, *And all Israel and their elders and officers and judges stood on this side of the ark and on that* ... (Josh. 8:33).
- G They turned their faces toward Mount Gerizim and began with the blessing:
- H "Blessed is the man who does not make a graven or molten image."
- I And these and those answer, "Amen."
- J They turned their faces toward Mount Ebal and began with the curse:
- K Cursed is the man who makes a graven or molten image (Dt. 27:15).
- L And these and those answer, "Amen."
- M [And this procedure they follow] until they complete the blessings and the curses.
- N And afterward they brought stones and built an altar and plastered it with plaster.
- O And they wrote on it all the words of the Torah in seventy languages,
- P as it is written, *Very plainly* (Dt. 27:8).
- Q And they took the stones and came and spent the night in their own place [Josh. 4:8].
- **7:6** A *The blessing of the priests* [M. 7:2A4]—how so?
  - I B In the provinces they say it as three blessings, and in the sanctuary, as one blessing.
  - II C In the sanctuary one says the Name as it is written but in the provinces, with a euphemism.
  - III D In the provinces the priests raise their hands as high as their shoulders, but in the sanctuary, they raise them over their heads,
    - E except for the high priest, who does not raise his hands over the frontlet.
    - F R. Judah says, "Also the high priest raises his hands over the frontlet,
    - G "since it is said, And Aaron lifted up his hands toward the people and blessed them (Lev. 9:22)."
- **7:7** A *The blessing of the high priest* [M. 7:2A5]—how so?
  - B The minister of the assembly takes a scroll of the Torah and gives it to the head of the assembly, and the head of the assembly gives it to the prefect, and the prefect gives it to the high priest.
  - C And the high priest stands and receives it and reads in it: *After the death* ... (Lev. 16:1ff.) and *Howbeit on the tenth day* (Num. 29:7–11).
  - D Then he rolls up the Torah and holds it at his breast and says, "More than I have read for you is written here."
  - E *And on the tenth* ... which is in the Book of Numbers (Num. 29:7–11) did he read by heart.
  - F And afterward he says eight blessings: (1) ... for the Torah, (2) and ... for the Temple service, (3) and ... for the Thanksgiving, (4) and for the forgiveness of sin, (5) and for the sanctuary, (6) and for Israel, (7) and for the priests, (8) and the rest of the Prayer.
- **7:8** A *The pericope of the king* [M. 7:2A5]—how so?
  - B At the end of the first festival day of the Festival [of Sukkot],
  - C on the Eighth Year, [that is] at the end of the Seventh Year,
  - D they make him a platform of wood, set in the courtyard.
  - E And he sits on it,
  - F as it is said, *At the end of every seven years in the set time* (Dt. 31:10).

- G The minister of the assembly takes a scroll of the Torah and hands it to the head of the assembly, and the head of the assembly hands it to the prefect, and the prefect hands it to the high priest, and the high priest hands it to the king, and the king stands and receives it.
- H But he reads sitting down.
- I Agrippa the King stood up and received it and read it standing up, and sages praised him on that account.
- J And when he came to the verse, *You may not put a foreigner over you, who is not your brother* (Dt. 17:15), his tears ran down from his eyes.
- K They said to him, "Do not be afraid, Agrippa, you are our brother, you are our brother, you are our brother!"
- L He reads from the beginning of *These are the words* (Dt. 1:1) to *Hear O Israel* (Dt. 6:4), *Hear O Israel* (Dt. 6:4), *And it will come to pass, if you hearken* (Dt. 11: 13), and *You shall surely tithe* (Dt. 14:22), and *When you have made an end of tithing* (Dt. 26:12–15), and the pericope of the king [Dt. 17:14–20], and the blessings and the curses [Dt. 27:15–26], and he completes the whole pericope.
- M With the same blessings with which the high priest blesses them [M. 7:7F], the king blesses them.
- N But he says the blessing for the festivals instead of the blessing for the forgiveness of sin.
- 8:1 A The anointed for battle, when he speaks to the people, in the Holy Language did he speak,
  - B as it is said, And it shall come to pass when you draw near to the battle, that the priest shall approach (this is the priest anointed for battle) and shall speak to the people (in the Holy Language) and shall say to them, Hear, O Israel, you draw near to battle this day (Dt. 20:2–3)—
  - C against your enemies (Dt. 20:3)—and not against your brothers,
  - D not Judah against Simeon, nor Simeon against Benjamin.
  - E For if you fall into their [Israelites'] hand, they will have mercy for you,
  - F as it is said, And the men which have been called by name rose up and took the captives and with the spoil clothed all that were naked among them and arrayed them and put shoes on their feet and gave them food to eat and something to drink and carried all the feeble of them upon asses and brought them to Jericho, the city of palm trees, unto their brethren. Then they returned to Samaria (II Chron. 28:15).
  - G Against your enemies do you go forth.
  - H For if you fall into their hand, they will not have mercy upon you.
  - I Let not your heart be faint, fear not, nor tremble, neither be afraid (Dt. 20:3).
  - J *Let not your heart be faint*—on account of the neighing of the horses and the flashing of the swords.
  - K *Fear not*—at the clashing of shields and the rushing of the tramping shoes.
  - L *Nor tremble*—at the sound of the trumpets.
  - M *Neither be afraid*—at the sound of the shouting.
  - N For the Lord your God is with you (Dt. 20:4)—
  - O they come with the power of mortal man, but you come with the power of the Omnipresent.
  - P The Philistines came with the power of Goliath. What was his end? In the end he fell by the sword, and they fell with him.
  - Q The Ammonites came with the power of Shobach [II Sam. 10:16]. What was his end? In the end he fell by the sword, and they fell with him.
  - R But you are not thus: For the Lord your God is he who goes with you to fight for you
  - S —this is the camp of the ark.

- A And the officers shall speak to the people, saying, What man is there who has built a new house and has not dedicated it? Let him go and return to his house (Dt. 20:5).
  - I B All the same are the ones who build a house for straw, a house for cattle, a house for wood, and a house for Storage.
    - C All the same are the ones who build it, who purchase it, who inherit it, and to whom it is given as a gift.
      - D And who is the man who has planted a vineyard and has not used the fruit thereof (Dt. 20:6)—
  - III E All the same are the ones who plant a vineyard and who plant five fruit trees, and even if they are of five different kinds.
  - IV G And all the same are the ones who plant such a tree, who sink them into the ground, and who graft them.
  - V H And all the same are the ones who buy a vineyard, and who inherit it, and to whom it is given as a gift.
    - And who is the man who has betrothed a wife (ibid.)
    - J All the same are the ones who betroth a virgin and who betroth a widow—
      - K and even a deceased childless brother's widow who awaits the levir.
        - L And even if one heard during the battle that his brother had died,
        - M he returns and comes along home.
        - N All these listen to the words of the priest concerning the arrangements of battle and go home.
        - O And they provide water and food and keep the roads in good repair.
- **8:3** A And these are the ones who do not return home:
  - B He who builds a gatehouse, a portico, or a porch;
  - C he who plants only four fruit trees or five barren trees;
  - D he who remarries a woman whom he has divorced,
  - E or [he who marries] a widow in the case of a high priest, a divorcée or a woman who has undergone the rite of *halisah* in the case of an ordinary priest, or *a mamzeret* or a *Netinah* in the case of an Israelite, or an Israelite girl in the case of a *mamzer* or a *Netin*—
  - F such a one did not go home.

8:2

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VI

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- G R. Judah says, "Also: He who builds his house on its original foundation did not go home."
- H R. Eleazar says, "Also: He who builds a house of bricks in the Sharon does not go home."
- **8:4** A And these are the ones who [to begin with] do not move from their place:
  - B He who had [just now] built a house and dedicated it, who had planted a vineyard and used its fruits, who had married the girl whom he had betrothed, or who had consummated the marriage of his deceased childless brother's widow,
  - C since it is said, *He shall be free for his house one year* (Dt. 24:5)—
  - D For his house—this is his house.
  - E *Will be*—this refers to his vineyard.
  - F And shall cheer his wife—this applies to his own wife.
  - G Whom he has acquired—to include even his deceased childless brother's widow.
  - H These do not [even] have to provide water and food and see to the repair of the road.

**8:5** A And the officers shall speak further unto the people [and they shall say, What man is there who is fearful and fainthearted?] Let him return to his home (Dt. 20:8).

B R. Aqiba says, "Fearful and fainthearted—just as it implies:

- C "He cannot stand in the battle ranks or see a drawn sword."
- D R. Yose the Galilean says, *"Fearful and fainthearted*—this is one who trembles on account of the transgressions which are in his hand.
- E "Therefore the Torah has connected all of these, "so that he returns home because of them [and will not be publicly shamed]."
- F R. Yose says, "As to a widow married to a high priest, a divorcée or woman who has undergone the rite of *halisah* to an ordinary priest, a *mamzer* girl or a *Netinah* girl married to an Israelite, an Israelite girl to a *mamzer* or a *Netin*—lo, these are the ones who are *fearful and fainthearted.*"
- **8:6** A And it shall be when the officers have made an end of speaking to the people that they shall appoint captains of hosts at the head of the people (Dt. 20:9), and at the rear of the people.
  - B They station warriors at their head and others behind them, and iron axes are in their hand.
  - C And whoever wants to retreat—he has the power to break his legs.
  - D For the start of defeat is falling back,
  - E as it is written, *Israel fled before the Philistines and there was also a great slaughter among the people* (I Sam. 4:17).
  - F And further it is written, *And the men of Israel fled from before the Philistines and fell down slain* (I Sam. 31:1).
- 8:7 A Under what circumstances [do the foregoing rules apply]?
  - B In the case of an optional war.
  - C But in the case of a war subject to religious requirement, everyone goes forth to battle—
  - D even a bridegroom from his chamber, and a bride from her marriage canopy.
  - E Said R. Judah, "Under what circumstances? In the case of a war subject to religious requirement.
  - F "But in the case of an obligatory war, everyone goes forth to battle—
  - G "even a bridegroom from his chamber, and a bride from her marriage canopy."
- 9:1 A The rite of the heifer whose neck is to be broken is said in the Holy Language,
  - B since it is said, *If one be found slain in the land lying in the field* ...
    - C then your elders your judges shall come forth (Dt. 21:1–2).
    - D Three from the high court in Jerusalem went forth.
    - E R. Judah says, "Five, since it is said, *Your elders*—thus, two, and *your judges*, thus two, and there is no such thing as a court made up of an even number of judges, so they add to their number yet one more."
- **9:2** A [If] it was found hidden under a heap of rocks or hanging from a tree or floating on the surface of water, they did not break the neck of a heifer,
  - B since it is said, *On the ground* [Dt. 21:1]—not hidden under a pile of rock.
  - C Lying—not hung on a tree.

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- D In the field—not floating on the water.
- E [If] it was found near the frontier, near a town which had a gentile majority, or near a town which had no court, they did not break a heifer's neck.
- F They measure only from a town which has a court.
- G "[If] it was found exactly between two such towns, then the two of them bring two heifers," the words of R. Eliezer.
  - H And Jerusalem does not have to bring a heifer whose neck is to be broken.

- **9:3** II A "[If] its head is found in one place and its body in another place, they bring the head to the body," the words of R. Eliezer.
  - B R. Aqiba says, "They bring the body to the head."
- **9:4** III A From what point did they measure?
  - B R. Eliezer says, "From his belly button."
  - C R. Aqiba says, "From his nose."
  - D R. Eliezer b. Jacob says, "From the place at which he was turned into corpse—from his neck."
- **9:5** A The elders of Jerusalem took their leave and went away.
  - B The elders of that town bring a *heifer from the herd with which labor had not been done and which had not drawn the yoke* (Dt. 21:3).
  - C But a blemish does not invalidate it.
  - D They brought it down into a rugged valley (and *rugged* is meant literally, hard, but even if it is not rugged, it is valid).
  - E And they break its neck with a hatchet from behind.
  - F And its place is prohibited for sowing and for tilling but permitted for the combing out of flax and for quarrying stones.
- **9:6** A The elders of that town wash their hands in the place in which the neck of the heifer is broken, and they say,
  - B *Our hands have not shed this blood, nor did our eyes see it* (Dt. 21:7).
  - C Now could it enter our minds that the elders of a court might be shedders of blood?
  - D But [they mean:] He did not come into our hands and we sent him away without food.
  - E And we did not see him and let him go along without an escort.
  - F And [it is] the priests [who] say, Forgive, O Lord, your people Israel, whom you have redeemed, and do not allow innocent blood in the midst of your people, Israel (Dt. 21:8).
  - G They did not have to say, *And the blood shall be forgiven them* (Dt. 21:8).
  - H But the Holy Spirit informs them, "Whenever you do this, the blood shall be forgiven to you."
- 9:7 Ι [If] the murderer was found before the neck of the heifer was broken, it [simply] А goes forth and pastures in the herd. [If the murderer is found] after the neck of the heifer is broken, it is to be buried in Π В its place. С For to begin with it was brought in a matter of doubt. It has atoned for the matter of doubt on which account it was brought and which has gone its way. III [If] the neck of the heifer was broken and afterward the murderer was found, lo, D this one is put to death. 9:8 Ι [If] one witness says, "I saw the murderer," and one witness says, "You did not see А him." В ([If] one woman says, "I saw him," and one woman says, "You did not see him,") they would go through the rite of breaking the neck of the heifer. С [If] one witness says, "I saw," and two say, "You did not see," they would break Π D the neck of the heifer.

III	E	[If] two say, "We saw," and one says to them, "You did not see," they did not break
		the neck of the heifer.

- 9:9 I A When murderers became many, the rite of breaking the heifer's neck was cancelled. B [This was] when Eleazar b. Dinai came along, and he was also called Tehinah b. Perishah. Then they called him, "Son of a murderer."
  - II C When adulterers became many, the ordeal of the bitter water was cancelled.

D And Rabban Yohanan b. Zakkai cancelled it, since it is said, *I will not punish your daughters when they commit whoredom, nor your daughters-in-law when they commit adultery, for they themselves go apart with whores* (Hosea 4:14).

- III E When Yose b. Yoezer of Seredah and Yose b. Yohanan of Jerusalem died, the grape clusters were cancelled,
  - F since it is said, *There is no cluster to eat, my soul desires the first ripe fig* (Micah 7:1).
- **9:10** A Yohanan, high priest, did away with the confession concerning tithe.
  - B Also: He cancelled the rite of the Awakeners and the Stunners.
    - C Until his time a hammer did strike in Jerusalem.
    - D And in his time no man had to ask concerning doubtfully tithed produce.
- **9:11** IV A When the Sanhedrin was cancelled, singing at wedding feasts was cancelled, since it is said, *They shall not drink wine with a song* (Is. 24:9).
- 9:12 V A When the former prophets died out, the Urim and Tummim were cancelled.
  - VI B When the sanctuary was destroyed, the Shamir worm ceased and [so did] the honey of *supim*.
    - C And faithful men came to an end,
    - D since it is written, *Help*, *O Lord*, for the godly man ceases (Ps. 12:2).
    - E Rabban Simeon b. Gamaliel says in the name of R. Joshua, "From the day on which the Temple was destroyed, there is no day on which there is no curse, and dew has not come down as a blessing. The good taste of produce is gone."
    - F R. Yose says, "Also: the fatness of produce is gone."
- **9:13** A R. Simeon b. Eleazar says, "[When] purity [ceased], it took away the taste and scent; [when] tithes [ceased], they took away the fatness of corn."
  - B And sages say, "Fornication and witchcraft made an end to everything."
- **9:14** I A In the war against Vespasian they decreed against the wearing of wreaths by bridegrooms and against the wedding drum.
  - II B In the war against Titus they decreed against the wearing of wreaths by brides.
  - C And [they decreed] that a man should not teach Greek to his son.
  - III D In the last war [Bar Kokhba's] they decreed that a bride should not go out in a palanquin inside the town.
    - E But our rabbis [thereafter] permitted the bride to go out in a palanquin inside the town.
- 9:15 A When R. Meir died, makers of parables came to an end.

- B When Ben Azzai died, diligent students came to an end.
- C When Ben Zoma died, exegetes came to an end.
- D When R. Joshua died, goodness went away from the world.
- E When Rabban Simeon b. Gamaliel died, the locust came, and troubles multiplied.
- F When R. Eleazar b. Azariah died, wealth went away from the sages.
- G When R. Aqiba died, the glory of the Torah came to an end.
- H When R. Hanina b. Dosa died, wonder workers came to an end.
- I When R. Yose Qatnuta died, pietists went away.
- J (And why was he called *Qatnuta*? Because he was the least of the pietists.)
- K When Rabban Yohanan b. Zakkai died, the splendor of wisdom came to an end.
- L When Rabban Gamaliel the Elder died, the glory of the Torah came to an end, and cleanness and separateness perished.
- M When R. Ishmael b. Phabi died, the splendor of the priesthood came to an end.
- N When Rabbi died, modesty and fear of sin came to an end.
- O R. Pinhas b. Yair says, "When the Temple was destroyed, associates became ashamed and so did free men, and they covered their heads.
- P "And wonder workers became feeble. And violent men and big talkers grew strong.
- Q "And none expounds and none seeks [learning] and none asks.
- R "Upon whom shall we depend? Upon our Father in heaven."
  - S R. Eliezer the Great says, "From the day on which the Temple was destroyed, sages began to be like scribes, and scribes like ministers, and ministers like ordinary folk.
  - T "And the ordinary folk have become feeble.
  - U "And none seeks.
- I V "Upon whom shall we depend? Upon our Father in heaven."
  - W With the footprints of the Messiah: presumption increases, and dearth increases.
  - X The vine gives its fruit and wine at great cost.
  - Y And the government turns to heresy.
  - Z And there is no reproof.
  - AA The gathering place will be for prostitution.
  - BB And Galilee will be laid waste.
  - CC And the Gablan will be made desolate.
  - DD And the men of the frontier will go about from town to town, and none will take pity on them.
  - EE And the wisdom of scribes will putrefy.
  - FF And those who fear sin will be rejected.
  - GG And the truth will be locked away.
  - HH Children will shame elders, and elders will stand up before children.
  - II For the son dishonors the father and the daughter rises up againsther mother, the daughter-in-law against her mother-in-law; a man's enemies are the men of his own house (Mic. 7:6).
  - JJ The face of the generation in the face of a dog.
  - KK A son is not ashamed before his father.
- III LL Upon whom shall we depend? Upon our Father in heaven.
  - MM R. Pinhas b. Yair says, "Heedfulness leads to cleanliness, cleanliness leads to cleanness, cleanness leads to abstinence, abstinence leads to holiness, holiness leads to modesty, modesty leads to the fear of sin, the fear of sin leads to piety, piety leads to the Holy Spirit, the Holy Spirit leads to the resurrection of the dead, and the resurrection of the dead comes through Elijah, blessed be his memory, Amen."

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Ι

### GITTIN

- **1:1** I A He who delivers a writ of divorce from overseas must state, "In my presence it was written, and in my presence it was signed."
  - B Rabban Gamaliel says, "Also: He who delivers [a writ of divorce] from Reqem or from Heger [must make a similar declaration]."
  - C R. Eliezer says, "Even from Kefar Ludim to Lud."
  - D And sages say, "He must state, 'In my presence it was written, and in my presence it was signed,' only in the case of him who delivers a writ of divorce from overseas,
  - E "and him who takes [one abroad]."

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- F And he who delivers [a writ of divorce] from one overseas province to another must state, "In my presence it was written, and in my presence it was signed."
  - G Rabban Simeon b. Gamaliel says, "Even [if he brings one] from one jurisdiction to another [in the same town]."
- **1:2** A R. Judah says, "From Reqem to [the country] east [of Reqem]—and Reqem is equivalent to [territory] east [of Reqem]."
  - B "From Askelon and southward, and Askelon is equivalent to [territory] south [of Askelon].
  - C "From Akko and northward, and Akko is equivalent to territory north of Akko."
  - D R. Meir says, "Akko is equivalent to the Land of Israel so far as writs of divorce are concerned."
- **1:3** III A He who delivers a writ of divorce in the Land of Israel does not have to state, "In my presence it was written, and in my presence it was signed."
  - B If there are disputants against [the validity of the writ], it is to be confirmed by its signatures.
  - C He who delivers a writ of divorce from overseas and cannot say, "In my presence it was written, and in my presence it was signed,"
  - D if there are witnesses [inscribed] on it—
  - E it is to be confirmed by its signatures.
- **1:4** A All the same are writs of divorce for women and writs of emancipation for slaves:
  - B they have treated in the same way the one who takes [it] and the one who delivers it.
    - C This is one of the ways in which writs of divorce for women and writs of emancipation for slaves are treated as equivalent.
- **1:5** A Any sort of writ on which there is a Samaritan witness is invalid,
  - B except for writs of divorce for women and writs of emancipation for slaves.
  - C *M'SH Š*: They brought before Rabban Gamaliel in Kepar Otenai the writ of divorce of a woman, and the witnesses thereon were Samaritan witnesses, and he did declare it valid.
  - D All documents which are drawn up in gentile registries, even if their signatures are gentiles', are valid,
  - E except for writs of divorce for women and writs of emancipation for slaves.
  - F R. Simeon says, "Also: These are valid.
  - G "They have been mentioned [in this regard] only when they have been prepared by unauthorized people [and not authorized judges]."

- **1:6** A He who says, "Give this writ of divorce to my wife, and this writ of emancipation to my slave,"
  - B "if he wanted to retract in either case, he may retract," the words of R. Meir.
  - C And sages say, "[That is the case] for writs of divorce for women but not for writs of emancipation for slaves.
  - D "For they act to the advantage of another person not in his presence, but they act to his disadvantage only in his presence.
  - E "For if he wanted not to support his slave, he has the right to make such a decision.
  - F "[But if he wanted] not to support his wife, he has no right [to make such a decision]."
  - G He [Meirl said to them, "But lo, he invalidates his slave from eating heave offering, just as he invalidates his wife from eating heave offering!"
  - H They said to him, "But that is because he is his chattel [so he has the right to do so to his slave but not to his wife]."
  - I He who says, "Give this writ of divorce to my wife and this writ of emancipation to my slave," and who then died—
  - J they [to whom he gave the charge] should not give over the documents after his death.
  - K [If he said], "Give a *maneh* to Mr. So-and-so," and then he died,
  - L let them give over the money after the man's death.
- **2:1** I A He who delivers a writ of divorce from overseas and said, "In my presence it was written," but not, "In my presence it was signed,"
  - B "In my presence it was signed," but not, "In my presence it was written,"
  - C "In my presence the whole of it was written, but in my presence only part of it was signed,"
  - D "In my presence part of it was written, but in my presence the whole of it was signed,"—
  - E it is invalid.
  - II F [If] one says, "In my presence it was written," and one says, "In my presence it was signed," it is invalid.
    - G [If] two say, "In our presence it was written," and one says, "In my presence it was signed," it is invalid.
    - H And R. Judah declares it valid.
  - III I [If] one says, "In my presence it was written," and two say, "In our presence, it was signed," it is valid.
- **2:2** A [If] it was written by day and signed by day,
  - B ... by night and signed by night,
  - C ... by night and signed by day [on the next morning],
  - D it is valid.
  - E [If it was written] by day and signed by night, it is invalid.
  - F R. Simeon declares it valid.
  - G For R. Simeon did rule, "All writs which were written by day and signed by night are invalid,
  - H "except writs of divorce for women."
- **2:3** A With all sorts of things do they write [a writ of divorce]:
  - B with (1) ink, (2) caustic, (3) red dye, (4) gum, (5) copperas,
  - C or with anything which lasts.
  - D They do not write [a writ of divorce] with (1) liquids, or (2) fruit juice,

- E or with anything which does not last.
- F On anything do they write [a writ of divorce]:
- G (1) on an olive's leaf,
- H (2) the horn of a cow,
- I but he gives the woman the cow
- J (3) on the hand of a slave,
- K but he gives the woman the slave.
- L R. Yose the Galilean says, "They do not write [a writ of divorce] on anything that is alive,
- M "or on foodstuffs."
- **2:4** A They do not write [a writ of divorce] on something which is attached to the ground.
  - B [If] one wrote it on something attached to the ground, then plucked it up, signed it, and gave it to her, it is valid.
    - C R. Judah declares it invalid,
    - D so long as writing it and signing it are [not] on something which is plucked up from the ground.
    - E R. Judah b. Beterah says, "They do not write on papyrus from which other writing has been erased,
    - F "or on a hide which has not been prepared,
    - G "for these can be falsified."
    - H And sages declare valid.
- **2:5** A All are valid for the writing of a writ of divorce,
  - B even a deaf-mute, an idiot, or a minor.
  - C A woman may write her own writ of divorce, and a man may write his quittance [a receipt for the payment of the marriage contract],
  - D for the confirmation of the writ of divorce is solely through its signatures [of the witnesses = M. 2:1I].
  - E All are valid for delivering a writ of divorce,
  - F except for a deaf-mute, an idiot, and a minor,
  - G a blind man, and a gentile.
- **2:6** A [If] a minor received [the writ of divorce from the husband,] and then passed the point of maturity,
  - B a deaf-mute and he regained the power of speech,
  - C a blind man and he regained the power of sight,
  - D an idiot and he regained his senses,
  - E a gentile and he converted,
  - F [it remains] invalid.
  - G But [if it was received from the husband] by one of sound senses who then lost the power of speech and then regained his senses,
  - H by one who had the power of sight and who was blinded but then recovered the power of sight,
  - I by one who was sane and then became insane and regained his sanity, it is valid.
  - J This is the general principle: In any case in which the agent at the outset and at the end was in full command of his senses, it is valid.

- **2:7** A Even women who are not deemed trustworthy to state, "Her husband has died" [M. Yeb. 15:4], are deemed trustworthy to deliver her writ of divorce:
  - B her mother-in-law, the daughter of her mother-in-law, her co-wife, her husband's brother's wife, and her husband's daughter.
  - C What is the difference between [testifying when delivering a writ of] divorce and [testifying that the husband has] died?
  - D For the writing serves as ample evidence [in the case of a writ of divorce].
  - E A woman herself delivers her writ of divorce [from abroad],
  - F on condition that she must state, "In my presence it was written, and in my presence it was signed."
- **3:1** A Any writ of divorce which is written not for the sake of this particular woman [for whom it is intended] is invalid.
  - B How so?
  - I C [If] one was passing through the market and heard the voice of scribes dictating [to students], "MR. So-and-so is divorcing Mrs. So-and-so from such-and-such a place," and said, "Why this is my name and the name of my wife"—
    - D it is invalid therewith to effect a divorce.
    - E Moreover:
    - F [If] one wrote a writ of divorce for divorcing his wife therewith and then changed his mind,
    - G [and] a fellow townsman found it and said to him, "My name is the same as yours, and my wife's name is the same as your wife's name,"
    - H it is invalid therewith to effect a divorce.
    - I Moreover:
  - III J [If] one had two wives, and their names were the same,
    - K [if] he wrote a writ of divorce to divorce therewith the elder,
      - L he shall not divorce the younger with it.
    - M Moreover:
  - IV N [If] he said to a scribe, "Write for whichever one I shall decide to divorce,"
    - O it is invalid therewith to divorce a woman.
- **3:2** I A He who writes out blank copies of writs of divorce must leave a space for the name of the man, for the name of the woman, and for the date.
  - II B [If he does so] for bonds of indebtedness, he must leave a space for the lender, the borrower, the sum of money, and the date.
  - III C [If he does so] for deeds of sale, he must leave a space for the purchaser, the seller, the sum of money, the field, and the date—
    - D for good order.
    - E R. Judah declares invalid in the case of all [such blank copies of writs].
    - F R. Eleazar declares valid in the case of all of them,
    - G except in the case of writs of divorce for women, since it is said, *And he shall write for her* (Dt. 24:1)—expressly for her.
- **3:3** A He who is bringing a writ of divorce and lost it—
  - B [if] he found it on the spot, it is valid.
  - C And if not, it is invalid.
  - D [If] he found it in a satchel or a bag,

- E if he recognizes it, it is valid.
- I F He who is bringing a writ of divorce and left him [the husband] aged or sick hands it over to the woman in the assumption that he [the husband] is [still] alive.
- II G An Israelite girl married to a priest,
  - H and her husband went overseas,
  - I eats heave offering in the assumption that [her husband] is alive.
- III J He who sends his sin offering from overseas—they offer it up in the assumption that he is alive [*cf*. M. Tem. 4:1].
- A Three things did R. Eleazar b. Parta say before sages and they confirmed his opinion: concerning (1) [those who live in] a besieged city, (2) [those who are aboard] a storm-tossed ship, and (3) he who goes out to judgment—
  - C that they are assumed to be alive.
  - D But (1) [those in] a town conquered in a siege, (2) a ship lost at sea, and (3) he who goes forth to be put to death—
  - E they apply to them the stringent rules applicable to the living and the stringent rules applicable to the dead:
  - F An Israelite girl married to a priest, or a priest girl married to an Israelite [in cases like these] does not eat heave offering.
- **3:5** A He who brings a writ of divorce in the Land of Israel and got sick —lo, this one sends it on by means of someone else.
  - B But if he [the husband] had said to him, "Get from her such-and-such an object,"
  - C he should not send it by means of someone else,
  - D for it is not the wish [of the husband] that his bailment should fall into someone else's hands.
- **3:6** A He who brings a writ of divorce from overseas and got sick
  - B appoints a court and sends it [the writ, with someone else].
  - C And he says in their presence, "In my presence it was written, and in my presence it was signed."
  - D And the latter does not have to say, "In my presence it was written, and in my presence it was signed."
  - E But he merely states, "I am the agent of a court."
- **3:7** A He who lends money to a priest or to a Levite or to a poor man so that he may set apart [what would be] their [share as heave offering, tithe, or poor man's tithe, respectively, and sell the heave offering to another priest or eat the tithe or poor man's tithe, in compensation for this loan]
  - B separates the produce in their behalf in the assumption that they are alive.
  - C And he does not take account of the possibility that the priest has died, or the Levite, or that the poor man has gotten rich.
  - D [If] they died, he has to get permission from [their] heirs [to continue in this way to collect what is owing].
  - E If he lent them this money in the presence of a court, he does not have to get permission from the heirs.

- 3:8 He who put aside produce, so that he may set apart heave offering and tithes on its account А [reckoning that it will serve for these purposes],
  - ... coins, so that he may set apart second tithe on its account, В
  - С he designates produce [as unconsecrated] relying upon them in the assumption that they remain available.
  - D "If they got lost, lo, this one takes account of the possibility that they were lost [only] during the preceding twenty-four hours," the words of R. Eleazar b. Shammua.
  - E R. Judah says, "At three seasons they examine wine: At the time of the east wind after the Festival [of Sukkot], when the berries first appear, and when the juice enters unripe grapes."
- 4:1 I А He who sends a writ of divorce to his wife, and overtook the messenger,
  - or who sent a messenger after him, В
  - С and said to him, "The writ of divorce which I gave you is null,"-
  - D lo, this is null.
  - E [If] he [the husband] got to his wife first, Π
    - F or [if] he sent a messenger to her,
      - and said to her, "The writ of divorce which I sent to you is null," G
      - Η lo, this is null.
  - Ш Ι If [this took place] after the writ of divorce reached her possession, he no longer has the power to annul it.
- 4:2 А At first [the husband] would set up a court in some other place and annul it.
  - Rabban Gamaliel ordained that people should not do so, В
  - С Ι for the good order of the world.
    - At first he used to change his name and her name, the name of his town and the D name of her town [i.e., to give an adopted name].
    - And Rabban Gamaliel ordained that one should write, "MR. So-and-so, and E whatever alias he has," "Mrs. So-and-so, and whatever alias she has,"
    - for the good order of the world. F
- 4:3 А A widow collects [her marriage contract] from the estate of the orphans only by means of an oath.
  - They held back from imposing the oath on her. В
  - Rabban Gamaliel the Elder ordained that she should take any vow the heirs wanted С and collect her marriage contract.
  - D The witnesses sign the writ of divorce,
  - for the good order of the world. Ш E
    - Hillel the Elder ordained the prosbol, F
  - IV G for the good order of the world.
- A slave who was taken captive, and they redeemed him-А
  - if as a slave, he is to be kept as a slave; В
  - if a freeman, he is not to be enslaved. С
  - Rabban Simeon b. Gamaliel says, "One way or the other, he is to be enslaved." D
  - A slave who was made over as security for a debt by his master to others and whom E the master [then] freed-
  - F legally, the slave is not liable for anything.

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	V	G	But for the good order of the world, they force his master to free him.
		H I	And he [the slave] writes a bond for his purchase price. Rabban Simeon b. Gamaliel says, "Only he writes [a bond] who frees him."
4:5		А	"He who is half-slave and half-free works for his master one day and for himself one day," the words of the House of Hillel.
		В	Said to them the House of Shammai, "You have taken good care of his master, but of himself you have not taken care.
		С	"To marry a slave girl is not possible, for half of him after all is free.
		D	"[To marry] a free woman is not possible, for half of him after all is a slave.
		Е	"Shall he refrain?
		F	"But was not the world made only for procreation, as it is said, <i>He created it not a waste, he formed it to be inhabited</i> (Is. 45:18).
	VI	G	"But: For the good order of the world, "they force his master to free him.
		Н	"And he [the slave] writes him a bond covering half his value."
		Ι	And the House of Hillel reverted to teach in accord with the opinion of the House of Shammai.
4:6		А	He who sells his slaves to a gentile,
		В	or to someone who lives abroad—
		C	he [the slave] has gone forth a free man.
		D	They do not redeem captives for more than they are worth,
	VII	E	for the good order of the world.
	<b>X7111</b>	F	And they do not help captives to flee,
	VIII	G H	for the good order of the world. Babban Simoon h. Camalial awa "For the good order of continues"
		п I	Rabban Simeon b. Gamaliel says, "For the good order of captives." And they do not purchase scrolls, <i>tefillin</i> , or <i>mezuzot</i> from gentiles for more than they are worth,
	IX	J	for the good order of the world.
4:7	1	А	He who puts his wife away because she has a bad name should not take her back.
	2	В	[If he did so] because of a vow [which she had made], he should not take her back.
		С	R. Judah says, "[If it was on account of] any sort of vow which is publicly known, he should not take her back.
		D	"But [if it was on account of] a vow which is not publicly known, he may take her back."
		E	R. Meir says, "[If it is on account of] any sort of vow which requires the investigation of a sage [for its absolution], he should not take her back.
		F	"[If it is any sort of] vow which does not require the investigation of a sage, he may take her back."
		G	Said R. Eleazar, "This latter case was prohibited only because of the former."
		Η	Said R. Yose bar Judah, " <i>M</i> ' <i>SH B</i> : In Sidon a man said to his wife, ' <i>Qonam</i> if I do not divorce you,' and he divorced her. But sages permitted him to take her back,
	Х	Ι	for the good order of the world."
4:8	3	A	He who divorces his wife because of sterility—
		В	R. Judah says, "He may not remarry her."

- C And sages say, "He may remarry her."
- D [If] she was married to someone else and had children by him, and she then claims payment for her marriage contract—
- E Said R. Judah, "They say to her, 'Your silence is better for you than your talking."
- **4:9**
- A He who sells himself and his children to a gentile—
  - B they do not redeem him, but they do redeem the children after their father's death.
  - C He who sells his field to a gentile and an Israelite purchased it from him—
  - D the purchaser brings the firstfruits,
- XI E on account of the good order of the world.
- **5:1** A Damages— they pay compensation for them out of the highest quality [real estate],
  - B and a debt, out of middling quality [real estate],
  - C and the marriage contract of a woman, out of the poorest quality [real estate].
  - D R. Meir says, "Also: The marriage contract of a woman, out of middling quality [real estate]."
- **5:2** A They do not exact payment from mortgaged property in a case in which there also is unencumbered property,
  - B even if it is of the poorest quality.
  - C They exact payment from the property of an estate ["orphans"] only from the poorest quality [real estate].
- **5:3** A They do not exact indemnity for produce consumed ["food eaten by cattle"], or for the improvements made on land, or for the maintenance of a widow or daughters, from mortgaged property.
  - XII B for the good order of the world.
    - C He who finds a lost object is not subjected to an oath,
  - XIII D for the good order of the world.
- **5:4** A Orphans who boarded with a householder,
  - B or for whom their father appointed a guardian—
  - C he [who provides for their keep] is liable to separate tithe from their produce.
  - D A guardian whom a father of orphans has appointed is to be subjected to an oath.
  - E [If] a court appointed him, he is not subjected to an oath.
  - F Abba Saul says, "Matters are reversed."
  - G He who imparted uncleanness [to the clean food of someone else], and he who mixed heave offering into the produce of someone else, and he who mixed another's wine with libation wine—
  - H if he did so inadvertently, he is exempt [from punishment].
  - I And if he did so deliberately, he is liable.
  - J And priests who deliberately imparted the status of refuse to a sacrifice in the sanctuary are liable.
- **5:5** A Testified R. Yohanan b. Gudeggedah concerning (1) a deaf-mute, whose father married her off, that [if she should be divorced], she goes forth with a writ of divorce;

- B and (2) concerning a minor Israelite girl who was married to a priest, that she eats heave offering,
- C and if she died, her husband inherits her estate;
- D and (3) concerning a stolen beam which one built into his house, that the original owner collects its value—
- XIV E on account of the good order of those who repent;
- F and (4) concerning a stolen sin offering, that was not publicly known, that it effects atonement—
- XV G for the good order of the altar.
- A The law concerning the usurping occupant did not apply in Judah in the case of those slain in the war.
  - B From the time of those slain in the war and thenceforward the law of the usurping occupant did apply.
  - C How [does the law apply]?
  - D [If] one purchased a property [first] from the usurping occupant and [then] went and [also] purchased it from the householder,
    - E his purchase is null.
    - F [If he purchased it first] from the householder and [then] went and purchased it from the usurping occupant, his purchase is confirmed.
    - G [If] a man purchased it from a man and then purchased it from a woman, his purchase is null.
    - H [If] he purchased it from a woman and then purchased it from a man, his purchase is confirmed.
  - I This is the first Mishnah. The court after them ruled:
    - J He who purchases a property from a usurping occupant pays the owner a fourth of the value.
      - K Under what circumstances?
      - L When he [the original owner] has not got the means to buy it.
      - M But [if] he has got the means to buy it, he takes precedence over all other people.
  - III N Rabbi called a court into session and they voted, that if the property had remained in the hands of the usurping occupant for twelve months, whoever comes first has the right to purchase it.
    - O But he pays the owner a quarter of the value.
- 5:7 A A deaf-mute makes signs and receives signs.
  - B And Ben Beterah says, "He communicates by movements of the mouth and receives communication by movements of the mouth,"
  - C in the case of movables.
  - D And as to little children: their purchase is valid and their sale is valid
  - E in the case of movables.
- **5:8** A And these rules did they state in the interests of peace:
  - I B A priest reads first, and afterward a Levite, and afterward an Israelite, in the interests of peace.
  - II C They prepare an *erub* in the house where it was first placed, in the interests of peace.
  - III D A well nearest to the stream is filled first, in the interests of peace.
  - IV E Traps for wild beasts, fowl, and fish are subject to the rules against stealing,

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in the interests of peace.

- F R. Yose says, "It is stealing beyond any doubt."
- V G Something found by a deaf-mute, an idiot, and a minor is subject to the rule against stealing,
  - in the interests of peace.
  - H R. Yose says, "It is stealing beyond any doubt."
- VI I A poor man beating the top of an olive tree—
  - J what is under it [the tree] is subject to the rule against stealing, in the interests of peace.
  - K R. Yose says, "It is stealing beyond any doubt."
- VII L They do not prevent poor gentiles from collecting produce under the laws of Gleanings, the Forgotten Sheaf, and the Corner of the Field, in the interests of peace.
- **5:9** VIII A A woman lends a sifter, sieve, handmill, or oven to her neighbor who is suspected of transgressing the law of the Seventh Year,
  - B but she should not winnow or grind wheat with her.
  - IX C The wife of a *haber* lends the wife of an *Am haares* a sifter and sieve.
    - D She sifts, winnows, grinds, and sifts wheat with her.
    - E But once she has poured water into the flour, she may not come near her,
    - F for they do not give assistance to transgressors.
    - G And all of these rules they stated only in the interests of peace.
  - X H They give assistance to gentiles in the Seventh Year but not Israelites.
    - I And they inquire after their welfare,
      - J in the interests of peace.
- 6:1 A He who says, "Receive this writ of divorce for my wife,"
  - B or, "Take this writ of divorce to my wife,"
  - C if he wanted to retract, may retract.
  - D The woman who said, "Receive my writ of divorce in my behalf"—
  - E if he [the husband] wanted to retract, he may not retract.
  - F Therefore if the husband said to him, "I do not want you to receive it for her, but bring and give it to her,"
  - G if he wanted to retract, he may retract.
  - H Rabban Simeon b. Gamaliel says, "Also: She who says, 'Fetch my writ of divorce for me,'
  - I "if he wanted to retract, he may not retract."
- **6:2** A The woman who said, "Receive my writ of divorce in my behalf,"
  - B requires two sets of witnesses:
  - C two who say, "In our presence she made the statement,"
  - D and two who say, "In our presence he [the messenger] received and tore it up.
  - E Even if the first set of witnesses are the same as the second set of witnesses,
  - F or there was one of the first set of witnesses and another in the second set of witnesses with one joined with each of them.
  - G A betrothed girl—
  - H she and her father receive her writ of divorce.
  - I Said R. Judah, "Two hands together do not make acquisition simultaneously.
  - J "But her father receives her writ of divorce alone."
  - K And any girl who is not able to keep watch over her writ of divorce cannot be divorced.

6:3		А	A minor girl who said, "Receive my writ of divorce for me"-		
		В	it is not a valid writ of divorce until it reaches her hand.		
		С	Therefore if the husband wanted to retract, he may retract,		
		D	for a minor cannot appoint a valid messenger.		
		E	But if the girl's father said to him, "Go and receive my daughter's writ of divorce in her behalf,"		
		F	if he [the husband] wanted to retract, he may not retract.		
	Ι	G	He who says, "Give this writ of divorce to my wife in such-and-such a place," and		
			he [the messenger] delivered it to her in some other place—		
		Η	it is invalid.		
	II	Ι	[If he said], "Lo, she is in such-and-such a place," and he gave it to		
			her in some other place,		
		J	it is valid.		
	III	K	The woman who said, "Receive my writ of divorce for me in such-and-such a place," and he [the messenger] received it for her in some other place—		
		L	it is invalid.		
		Μ	R. Eliezer declares it valid.		
	IV	Ν	"Bring me my writ of divorce from such-and-such a place," and he brought it to her		
		0	from some other place—		
		0	it is valid.		
6:4	Ι	А	[If she said], "Bring me my writ of divorce," she continues to have the right to eat		
			food in the status of heave offering until the writ of divorce reaches her hand.		
	II	В	, "Receive my writ of divorce in my behalf," she is prohibited from eating food		
		a	in the status of heave offering from that point.		
	III	С	, "Receive my writ of divorce for me in such-and-such a place," she continues		
			to have the right to eat food in the status of heave offering until [the messenger		
		D	with a writ of divorce] reaches that place.		
		D	R. Eliezer prohibits [her from eating food in the status of heave offering] forthwith.		
6:5	А	He v	who says, "Write a writ of divorce and give it to my wife,"		
012	В	., "Divorce her,"			
	C	, Write a letter and give it to her,"			
	D	lo, these [to whom he spoke] should write and give it to her.			
	Е	[If he said,] "Free her,"			
	F	, Feed her,"			
	G	, "Do what is customary for her,"			
	Н		what is appropriate for her,"		
	Ι		as said nothing whatsoever.		
	J	At fi	rst they ruled, "He who goes out in chains and said, 'Write a writ of divorce for my		
		wife	,'—Io, these should write and deliver it to her."		
	Κ	They	reverted to rule, "Also: He who is taking leave by sea or going forth in a caravan		
			y give the same valid instructions]."		
	L	R. Si	imeon Shezuri says, "Also: he who is dying."		
6:6	А		who had been cast into a pit and said, "Whoever hears his [my] voice—let him write a		
			of divorce for his [my] wife"—		
	В	lo, tł	nese should write and deliver it to her.		

- C A healthy man who said, "Write a writ of divorce for my wife"—
- D his intention was to tease her.
- E *M'SH B*: A healthy man said, "Write a writ of divorce for my wife," and then went up to the rooftop and fell over and died—
- F said Rabban Simeon b. Gamaliel, "Said sages, 'If he fell because of his own action, lo, this is a writ of divorce. If the wind pushed him off, it is no writ of divorce."
- 6:7 A [If] he said to two men, "Give a writ of divorce to my wife,"
  - B or to three, "Write a writ of divorce and give it to my wife,"
    - C lo, these should write and give it to her.
    - D "[If] he said to three, 'Give a writ of divorce to my wife,' lo, these should say to others to write it, because he has appointed them a court," the words of R. Meir.
    - E This ruling did R. Haninah of Ono bring back from prison, "I have received the ruling in the case of one who says to three men, 'Give a writ of divorce to my wife,' that they should say to others to write it, because he has appointed them as a court [= D]."
    - F Said R. Yose, "We observed to the messenger, 'We too have received a ruling: Even if he said to the high court in Jerusalem, 'Give a writ of divorce to my wife,' that they should learn [how to do it] and write and deliver it.' "
    - G If he said to ten men, "Write a writ of divorce for my wife," one should write it, and two should sign it as witnesses.
    - H [If he said], "All of you write it," one of them writes it, and all of them sign it.
    - I Therefore if one of them died, lo, this is an invalid writ of divorce.
- **7:1** I A He who was seized by delirium and said, "Write a writ of divorce for my wife," has said nothing whatsoever.
  - II B [If] he said, "Write a writ of divorce for my wife," and [then] delirium seized him, and then he said, "Do not write it,"
    - C his second statement is nothing.
  - III D [If] he lost the power of speech, and they said to him, "Shall we write a writ of divorce for your wife," and he nodded his head,
    - E they test him three times.
    - F If he said for no, "No," and for yes, "Yes," lo, these should write and deliver the writ of divorce to his wife.
- **7:2** A [If] they said to him, "Shall we write a writ of divorce for your wife?" and he said to them, "Write,"
  - B [if] they then instructed a scribe and he wrote it, and witnesses and they signed it,
  - C even though they wrote it and signed it and delivered it to him, and he handed it over to her,
  - D lo, this writ of divorce is null,
  - E unless he himself says to the scribe, "Write," and to the witnesses, "Sign.
- **7:3** I A [If he said], "This is your writ of divorce if I die,"
  - B "This is your writ of divorce if I die from this ailment,"
  - C "This is your writ of divorce effective after death,"
  - D he has said nothing.
  - II E [If he said, "This is your writ of divorce] effective today if I die," "Effective now if I die,"

lo, this is a valid writ of divorce.

- III F [If he said, "Lo, this is your writ of divorce] effective now and after death," it is a writ of divorce and not a writ of divorce.
  - G If he dies, [the widow] performs the rite of *halisah* but does not enter into levirate marriage.
  - H [If he said,] "This is your writ of divorce effective today if I die from this illness," and then he arose and went about in the market, then fell ill and died—
  - I they make an estimate of his situation. If he died on account of the first ailment, lo, this is a valid writ of divorce.
  - J And if not, it is not a valid writ of divorce.
- 7:4 A She should not afterward continue together with him except in the presence of witnesses,
  - B even a slave, even a girl servant,
  - C except for her own slave girl, because she is shameless before her slave girl.
  - D What is her status in those days?
  - E R. Judah says, "She is in the status of a married woman in every respect."
  - F R. Yose says, "She is divorced but not divorced."
- **7:5** I A "Lo, this is your writ of divorce on condition that you pay me two hundred zuz, "
  - B lo, this one is divorced, and she should pay the money.
  - C "... on condition that you pay me within thirty days from now," if she paid him during the period of thirty days, she is divorced.
    - D And if not, she is not divorced.
    - E Said Rabban Simeon b. Gamaliel, *M'SH B*: In Sidon there was a man who said to his wife, 'Lo, this is your writ of divorce, on condition that you give me my cloak,' but the cloak got lost. Sages ruled, 'Let her pay him its value.' "
- **7:6** III A "Lo, this is your writ of divorce on condition that you serve my father"—
  - B "... on condition that you give suck to my son"—
  - C how long must she give suck to him [for the writ to remain valid]?
  - D Two years.

Π

7:7

- E R. Judah says, "Eighteen months."
- F If the son died, or the father died, lo, this is a valid writ of divorce.
- G [If he said], "Lo, this is your writ of divorce on condition that you serve father for two years," "On condition that you give suck to my son for two years,"
- H if the son died, or if the father died,
- I or if the father said, "I don't want her to serve me,"
- J [if this is] not because of provocation [on the woman's part],
- K it is not a writ of divorce.
- L Rabban Simeon b. Gamaliel says, "Such a writ is a valid writ of divorce."
- M A general principle did Rabban Simeon b. Gamaliel say, "Any hindrance which does not come from her—lo, this is a valid writ of divorce."
- I A "Lo, this is your writ of divorce, if I do not return within thirty days,"
  - B and he was going from Judah to Galilee,
  - C [if] he reached Antipatris and came home,
  - D his condition is null.

- II E "Lo, this is your writ of divorce, if I do not return within thirty days,"
  - F and he was going from Galilee to Judah,
  - G [if] he reached Kepar Otenai and came home,
  - H his condition is null.
- III I "Lo, this is your writ of divorce, if I do not return within thirty days,"
  - J and he was going overseas,
  - K [if] he reached Akko and came home,
  - L his condition is null.
  - M "Lo, this is your writ of divorce if I remain away from your presence for thirty days,"
  - N if he was coming and going, coming and going,
  - O since he did not continue together with her,
  - P lo, this is a writ of divorce.
- **7:8** A "Lo, this is your writ of divorce, if I do not come back within twelve months,"
  - B and he died within twelve months,
  - C it is no writ of divorce.
  - D "Lo, this is your writ of divorce effective now, if I do not come back here in twelve months,"
  - E and he died within twelve months,
  - F lo, this is a valid writ of divorce.
- **7:9** I A If I do not come back within twelve months, write and hand over a writ of divorce to my wife"—
  - B [if] they wrote a writ of divorce during twelve months and handed it over at the end of the twelve months,
  - C it is not a valid writ of divorce.
  - II D "Write and hand over a writ of divorce to my wife, if I do not return within twelve months,"
    - E [if] they wrote it during the twelve months and handed it over after twelve months, it is not a valid writ of divorce.
    - F R. Yose says, "In such a situation it is a valid writ of divorce."
  - III G [If] they wrote a writ of divorce after twelve months and handed it over after twelve months, and then he died,
    - H if the writ of divorce came before death, lo, it is a valid writ of divorce.
    - I But if the death came before the writ of divorce, it is not a valid writ of divorce.
    - J And if the facts are not known, this is the case of which they have said, "She is divorced and not divorced."
- 8:1 I A He who threw a writ of divorce to his wife,
  - B and she was in her own house or in her own courtyard—
    - C lo, this one is divorced.
  - II D [If] he threw it to her in his house or in his courtyard,
  - E even if it [the writ] is with her in bed,
    - F she is not divorced.
  - III G [If he threw it] into her bosom or into her basket,
    - H she is divorced.

- 8:2 A [If] he said to her, "Take this bond of indebtedness,"
  - B or if she found it behind him and read it, and lo, it is her writ of divorce,
  - C it is not a valid writ of divorce—
  - D until he says to her, "Here is your writ of divorce."
  - E [If] he put it into her hand while she is sleeping, [then] she woke up, read it, and lo, it is her writ of divorce,
  - F it is not a valid writ of divorce—
  - G until he will say to her, "Here is your writ of divorce."
  - H [If] she was standing in a public place and he threw it to her,
  - I [if] it is nearer to her, she is divorced.
  - J [If] it is nearer to him, she is not divorced.
  - K [If] it is exactly halfway, she is divorced and not divorced.
- **8:3** A And so is the rule with regard to betrothals,
  - B And so is the rule with regard to a debt.
    - C [If] the creditor said to him, "Throw me [what you owe] me [as a debt]," and he threw it to him,
    - D [if] it is closer to the lender, the borrower has the advantage.
    - E [If] it is closer to the borrower, the borrower is liable.
    - F [If] it is exactly in between, both of them divide [the sum, should it be lost].
    - G [If the wife] was standing on the rooftop and he threw it to her,
    - H once it has reached the air space of the roof, lo, this woman is divorced.
    - I [If] he is above and she is below and he threw it to her,
    - J once it has left the domain of the roof,
    - K [even if] it should be blotted out or burned,
    - L lo, this woman is divorced.

Ι

- 8:4 A The House of Shammai say, "A man dismisses his wife with an old writ of divorce."
  - B And the House of Hillel prohibit it.
  - C And what is an old writ of divorce?
  - D It is any writ of divorce, after the writing of which, the man continued alone with her.
- 8:5 A [If] he wrote [the writ of divorce dating it] according to an era which is not applicable,
  - B according to the era of the Medes, according to the era of the Greeks,
  - C according to the building of the Temple, according to the destruction of the Temple,
  - D [if] he was in the east and wrote, "In the West," in the west and wrote, "In the East,"
  - E she goes forth from this one [whom she married on the strength of the divorce from the former husband] and from that one [the first husband].
    - F And she requires a writ of divorce from this one and from that one.
    - G And she has no claim on the payment of her marriage contract, or on the usufruct [of *melog* property], or to alimony, or to indemnity [for loss on her *melog* property],
    - H either against this one or against that one.
    - I If she collected [such payment] from this one or from that one, she must return what she has collected.
    - J And the offspring from either marriage is a *mamzer*

	K	And neither one nor the other contracts uncleanness for her [if they are priests, and
	L	she should die and require burial]. And neither one nor the other gains possession of what she may find, or of the fruit
	М	of her labor, or is vested with the right to abrogate her vows. [If] she was an Israelite girl, she is invalidated from marrying into the priesthood.
	N	[If she was] a Levite girl, [she is invalidated] from eating tithe.
	0	[If she was] a priest girl, she is invalidated from eating heave offering.
	P	And the heirs neither of this one nor of that one inherit her marriage contract.
	Q	And if they died, the brothers of this one and the brothers of that one perform the rite of <i>halisah</i> but do not enter into levirate marriage.
	R	[If] he changed his name or her name,
	S	the name of his town or the name of her town,
II	Т	she goes forth from this one and from that one.
	U	And all these [above] conditions apply to her.
8:6	А	All those prohibited relationships of which they have said that their co-wives are permitted [to remarry without levirate marriage],
	В	[if] these co-wives went and got married and this [woman who is in a prohibited
		relationship] turns out to be barren—
III	С	she goes forth from this one and from that one.
	D	And all the above conditions apply.
8:7	А	He who marries his deceased childless brother's widow,
	В	and her co-wife went off and married someone else,
	С	and this one turned out to be barren—
IV	D	she [the co-wife] goes forth from this one and from that one.
	E	And all the above conditions apply.
8:8	А	[If the scribe wrote a writ of divorce for the man and a quittance [receipt given to the husband for her marriage contract payment] for the woman,
	В	and he erred and gave the writ of divorce to the woman and the quittance to the man,
	С	and they then exchanged them for one another,
	D	and [if] after a while, lo, the writ of divorce turns up in the hand of the man, and the quittance in the hand of the woman—
V	E	she goes forth from this one and from that one.
	F	And all the above conditions apply.
	G	R. Eliezer says, "If it turned up on the spot, this is not a writ of divorce $[=E]$ .
	Н	"If after a while it turned up, lo, this is a valid writ of divorce.
	Ι	"It is not within the power of the first husband to render void the right of the second."
	_	[If] he wrote [a writ of divorce] to divorce his wife and changed his mind,
	J	the House of Shammai say, "He has invalidated her from marrying into the priesthood."
	K	And the House of Hillel say, "Even though he gave it to her on a condition, and the condition was not carried out [so that she is not divorced], he has not invalidated her from marrying into the priesthood."

- 8:9 A He who divorced his wife and spent a night with her in an inn—
  - B the House of Shammai say, "She does not require a second writ of divorce from him."
  - C And the House of Hillel say, "She requires a second writ of divorce from him."
  - D Under what circumstances?
  - E When she was divorced following consummation of the marriage.
  - F But they concur in the case of one divorced after betrothal alone, that she does not require a second writ of divorce from him.
  - G For he is not yet shameless before her.
  - H If he married her on the strength of [her having been divorced from a former husband] by a "bald" [defectively witnessed] writ of divorce,
  - I she goes forth from this one and from that one.
    - J And all the above conditions apply.
- 8:10 A As to "bald" [defectively witnessed] writ of divorce—
  - B "all complete it," the words of Ben Nannos.

VI

- C R. Aqiba says, "Only they complete it who are relatives suitable to give testimony under some other circumstance."
- D What is "bald" [defectively witnessed] writ of divorce?
- E One that has more folds than witnesses.
- **9:1** I A He who divorces his wife and said to her, "Lo, you are permitted [to marry] any man except for so-and-so"—
  - B R. Eliezer permits [the woman to be divorced on such a condition.].
  - C And sages forbid it.
  - D What should he do [in such a circumstance]?
  - E He should take it back from her and go and give it to her again, and say to her, "Lo, you are permitted to marry any man."
  - F But if he wrote it into the body of the document.
  - G even if he blotted it out,
  - H [the writ remains] invalid.
- **9:2** II A [If the husband said,] "Lo, you are permitted to any man, except for my father, and your father, my brother, your brother, a slave, or a gentile,"
  - B or any man to whom she cannot become betrothed—
  - C it is valid.
  - III D "Lo, you are permitted to any man, except, in the case of a widow, to a high priest, in the case of a divorce or a woman who has undergone the rite of *halisah* to an ordinary priest, a *mamzer* girl or a *Netin* girl to an Israelite, an Israelite girl to a *mamzer* or to a *Netin*,"
    - E or any man to whom she can become betrothed, even though it is in transgression [for her to do so],
    - F it is invalid.
- **9:3** A The text of the writ of divorce [is as follows]:
  - B "Lo, you are permitted to any man."
  - C R. Judah says, "[In Aramaic]: Let this be from me your writ of divorce, letter of dismissal, and deed of liberation, that you may marry anyone you want."

- D The text of a writ of emancipation [is as follows]:
- E "Lo, you are a free girl, lo, you are your own [possession]" [cf. Dt. 21:14].
- **9:4** A There are three writs of divorce which are invalid,
  - B but if the wife [subsequently] remarried [on the strength of those documents],
  - C the offspring [nonetheless] is valid:
  - I D [If] he wrote it in his own handwriting, but there are no witnesses on it;
  - II E there are witnesses on it, but it is not dated;
  - III F it is dated, but there is only a single witness—
    - G lo, these are three kinds of invalid writs of divorce,
      - H but if the wife [subsequently] remarried,
      - I the offspring is valid.
      - J R. Eleazar says, "Even though there are no witnesses on it [the document itself], but he handed it over to her in the presence of witnesses,
      - K "it is valid.
      - L "And she collects [her marriage contract] from mortgaged property.
      - M "For witnesses sign the writ of divorce only for the good order of the world."
- **9:5** A Two [with identical names] who sent [to their wives, also bearing identical names] two writs of divorce [which were] identical, and which were mixed up—
  - B they give both of them to this one and both of them to that one.
  - C Therefore if one of them was lost, lo, the second one is null.
  - D Five who wrote jointly in one [and the same] bill of divorce [bearing a single date]:
  - E "Mr. So-and-so divorces Mrs. Such-and-such," "Mr. So-and-so divorces Mrs. Such-and-such," [..., and so on, five times],
  - F and there are witnesses below—
  - G all of them are valid.
  - H And let it be given over to each one.
  - I [If] the formula was written [anew in full] for each of them,
  - J and there are witnesses below—
  - K that with which the names of the witnesses are read is valid.
- **9:6** A Two writs of divorce which one wrote side by side,
  - B and [the signatures of] two witnesses, [written in] Hebrew, run from under this one [on the right] to under that one [on the left],
  - C and [the signatures of] two witnesses, [written in] Greek, run from under this one [left] to under that one [right],
  - D that with which the first witnesses' [signatures] are read is valid.
  - E [If the signatures of] one, [written in Hebrew], and one [written in] Greek, one [written in] Hebrew and one witness [written in Greek] run from under this one to under that one,
  - F both of them are invalid.
- 9:7 A [If] one left over part [of the text of] the writ of divorce and wrote it on the second page,
  - B and the witnesses are below,
  - C it is valid.

- D [If] the witnesses signed at the top of the page, on the side, or on the backside, in the case of an unfolded writ of divorce,
- E it is invalid.
- I F [If] one joined the top of this [writ of divorce] alongside the top of that writ of divorce,
  - G and the witnesses are in the middle,
  - H both of them are invalid.
- II I [If he joined] the bottom of this one with the bottom of that one, with the witnesses in the middle,
  - J that with which the names of the witnesses are read [alone] is valid.
  - K [If he joined] the head of this one alongside the bottom of that one, with the witnesses in the middle,
    - L that with which the witnesses' names are read at the end is valid.
- **9:8** A A writ of divorce which one wrote in Hebrew with its witnesses' signing in Greek,
  - B [or which he wrote in] Greek, with its witnesses' signing in Hebrew,
  - C [or which] one witness [signed] in Hebrew and one in Greek,
  - D [or which] the scribe wrote which one witness [signed, with the scribe as the second witness],
  - E is valid.

III

- F [If it was written], "Mr. So-and-so, a witness," it is valid.
- G "The son of Mr. So-and-so, a witness," it is valid.
- H "Mr. So-and-so, son of Mr. So-and-so," but he did not write, "a witness," it is valid.
- I And thus did the scrupulous in Jerusalem do.
- J [If] he wrote [only] his family name and her family name, it is valid.
- K A writ of divorce imposed by a court—
- L in the case of an Israelite court, it is valid.
- M And in the case of a gentile court, it is invalid.
- N In the case of gentiles, they beat him and say to him, "Do what the Israelites tell you to do," and it is valid.
- **9:9** A [If] the word goes around town, "She is betrothed,"—lo, she is [deemed] betrothed.
  - B "She is divorced,"—lo, she is [deemed] divorced,
  - C on condition that there should not be some reason to doubt it.
  - D And what would be a reason to doubt it?
  - E "MR. So-and-so has divorced his wife conditionally."
  - F "He tossed her her tokens of betrothal—it is a matter of doubt whether it landed nearer to him or nearer to her"—
  - G lo, these are grounds for doubt.
- **9:10** A The House of Shammai say, "A man should divorce his wife only because he has found grounds for it in unchastity,
  - B "since it is said, Because he has found in her indecency in anything (Dt. 24:)."
  - C And the House of Hillel say, "Even if she spoiled his dish,
  - D "since it is said, Because he has found in her indecency in anything.
  - E R. Aqiba says, "Even if he found someone else prettier than she,
  - F "since it is said, And it shall be if she find no favor in his eyes (Dt. 24:1)."

## QIDDUSHIN

1:1	Ι	А	A woman is acquired [as a wife] in three ways, and acquires [freedom for] herself
		В	[to be a free agent] in two ways. She is acquired through money, a writ, and sexual intercourse.
		D C	Through money:
		D	The House of Shammai say, "For a <i>denar</i> or what is worth a <i>denar</i>
		Е	And the House of Hillel say, "For a <i>perutah</i> or what is worth a <i>perutah</i> .
		F	And how much is a <i>perutah</i> ?
		G	One eighth of an Italian issar
		Η	And she acquires herself through a writ of divorce and through the husband's death.
	II	Ι	The deceased childless brother's widow is acquired through an act of sexual relations.
		J	And acquires [freedom for] herself through a rite of <i>halisah</i> and through the levir's death.
1:2	III	А	A Hebrew slave is acquired through money and a writ.
1.2		B	And he acquires himself through the passage of years, by the Jubilee year, and by
		_	deduction from the purchase price [redeeming himself at this outstanding value (Lev. 25:50–51)].
	IV	С	The Hebrew slave girl has an advantage over him.
		D	For she acquires herself [in addition] through the appearance of tokens [of puberty].
	V	E	The slave whose ear is pierced is acquired through an act of piercing the ear [Ex. 21:5].
		F	And he acquires himself by the Jubilee and by the death of the master.
1:3	VI	А	A Canaanite slave is acquired through money, through a writ, and through usucaption.
		В	"And he acquires himself through money paid by others and through a writ [of indebtedness] taken on by himself," the words of R. Meir.
		С	And sages say, "By money paid by himself and by a writ taken on by others,
		D	"on condition that the money belongs to others."
1:4	Ι	А	"Large cattle are acquired through delivery, and small cattle through lifting, up," the words of R. Meir and R. Eleazar.
		В	And sages say, "Small cattle are acquired through an act of drawing."
1:5	II	А	Property for which there is security is acquired through money, writ and usucaption.
	III	В	And that for which there is no security is acquired only by an act of drawing [from one place to another].
		С	Property for which there is no security is acquired along with property for which there is security through money, writ, and usucaption.
		D	And property for which there is no security imposes the need for an oath on property for which there is security.

- **1:6** A Whatever is used as payment for something else,
  - B once this one has effected acquisition [thereof]—
  - C the other has become liable for what is given in exchange.
  - D How so?
  - E [If] one exchanged an ox for a cow, or an ass for an ox,
  - F once this one has effected acquisition, the other has become liable for what is given in exchange.
  - G The right of the Most High is effected through money, and the right of ordinary folk through usucaption.
  - H One's word of mouth [dedication of an object] to the Most High is equivalent to one's act of delivery to an ordinary person.
- **1:7** I A For every commandment concerning the son to which the father is subject—men are liable, and women are exempt.
  - II B And for every commandment concerning the father to which the son is subject, men and women are equally liable.
  - III C For every positive commandment dependent upon the time [of year], men are liable, and women are exempt.
  - IV D And for every positive commandment not dependent upon the time, men and women are equally liable.
  - V E For every negative commandment, whether dependent upon the time or not dependent upon the time, men and women are equally liable,
    - F except for not marring the corners of the beard, not rounding the corners of the head (Lev. 19:27), and not becoming unclean because of the dead (Lev. 21:1).
- **1:8** A [The cultic rites of] laying on of hands, waving, drawing near, taking the handful, burning the incense, breaking the neck of a bird, sprinkling, and receiving [the blood]
  - B apply to men and not to women,
  - C except in the case of a meal offering of an accused wife and of a Nazirite girl, which they wave.
- **1:9** VI A Every commandment which is dependent upon the Land applies only in the Land, and which does not depend upon the Land applies both in the Land and outside the Land.
  - C except for *orlah* and mixed seeds [Lev. 19:23, 19:19].
  - D R. Eliezer says, "Also: Except for [the prohibition against eating] new [produce before the *omer* is waved on the sixteenth of Nisan] [Lev. 23:14]."
- **1:10** A Whoever does a single commandment— they do well for him and lengthen his days.
  - B And he inherits the Land.
  - C And whoever does not do a single commandment—they do not do well for him and do not lengthen his days.
  - D And he does not inherit the Land.
  - E Whoever has learning in Scripture, Mishnah, and right conduct will not quickly sin,
  - F since it is said, And a threefold cord is not quickly broken (Qoh. 4:12).
  - G And whoever does not have learning in Scripture, Mishnah, and right conduct has no share in society.

2:1	Ι	А	A man effects betrothal on his own or through his agent.		
	II	В	A woman becomes betrothed on her own or through her agent.		
	III	С	A man betrothes his daughter when she is a girl on his own or through his agent.		
	Ι	D	He who says to a woman, "Be betrothed to me for this date, be betrothed to me with this,"		
		Е	if [either] one of them is of the value of a <i>perutah</i> , she is betrothed, and if not, she is not betrothed.		
	Π	F	"By this, and by this, and by this"—		
		G	if all of them together are worth a <i>perutah</i> , she is betrothed, and if not, she is not betrothed.		
	III	Н	[If] she was eating them one by one, she is not betrothed,		
		Ι	unless one of them is worth a <i>perutah</i> ."		
2:2	Ι	А	"Be betrothed to me for this cup of wine," and it turns out to be honey		
	II	В	" of honey," and it turns out to be of wine,		
	III	С	" with this silver <i>denar</i> , " and it turns out to be gold,		
	IV	D	" with this gold one," and it turns out to be silver		
	V	Е	" on condition that I am rich," and he turns out to be poor,		
	VI	F	" on condition that I am poor," and he turns out to be rich—		
		G	she is not betrothed.		
		Η	R. Simeon says, "If he deceived her to [her] advantage, she is betrothed."		
2:3	Ι	А	" on condition that I am a priest," and he turns out to be a Levite,		
		В	" on condition that I am a Levite," and he turns out to be a priest,		
	II	С	" a <i>Netin</i> , " and he turns out to be a <i>mamzer</i> ,		
		D	" a mamzer, " and he turns out to be a Netin,		
	III	E	" a town dweller," and he turns out to be a villager,		
		F	" a villager," and he turns out to be a town dweller,		
	IV	G	" on condition that my house is near the bath," and it turns out to be far away,		
		Н	" far," and it turns out to be near:		
	V	Ι	" on condition that I have a daughter or a slave girl who is a hairdresser," and he has none,		
		J	" on condition that I have none," and he has one;		
	VI	Κ	" on condition that I have no children," and he has;		
		L	" on condition that he has," and he has none—		
		М	in the case of all of them, even though she says, "In my heart I wanted to become betrothed to him despite that fact," she is not betrothed.		
		Ν	And so is the rule if she deceived him.		
2:4	А	He who says to his messenger, "Go and betroth Miss So-and-so for me, in such-and-such place,"			
	В	and he went and betrothed her for him in some other place,			
	С	she is not betrothed.			
	D	[If he said,] " lo, she is in such-and-such a place,"			
	E	and he betrothed her in some other place,			
	F	lo, she	e is betrothed.		

**2:5** A He who betroths a woman on condition that she is not encumbered by vows,

- B and she turns out to be encumbered by vows—
- C she is not betrothed.
- D [If] he married her without specifying and she turned out to be encumbered by vows, she goes forth without collecting her marriage contract.
- E ... on condition that there are no blemishes on her, and she turns out to have blemishes, she is not betrothed.
- F [If] he married her without specifying and she turned out to have blemishes, she goes forth without collecting her marriage contract.
- G All blemishes which invalidate priests [from serving in the Temple] invalidate women.
- **2:6** A He who betroths two women with something worth a *perutah*,
  - B or one woman with something worth less than a *perutah*,
  - C even though he sent along [additional] presents afterward,
  - D she is not betrothed,
  - E since he sent the presents later on only because of the original act of betrothal [which was null].
  - F And so in the case of a minor who betrothed a woman.
- **2:7** A He who betroths a woman and her daughter,
  - B or a woman and her sister, simultaneously—
  - C they are not betrothed.
  - D WM<sup>c</sup>SH B: Five women, including two sisters,
    - and one gathered figs,
      - and they were theirs,

but it was Seventh-Year produce.

And [someone] said, "Lo, all of you are betrothed to me in virtue of this basket of fruit," and one of them accepted the proposal in behalf of all of them—

- E And sages ruled, "The sisters [in the group of five] are not betrothed."
- **2:8** I A He [who was a priest] who betroths a woman with his share [of the priestly gifts], whether they were Most Holy Things or Lesser Holy Things—
  - B she is not betrothed.
  - II C [If one did so] with food in the status of second tithe,
    - D "whether inadvertently or deliberately, he has not effected betrothal," the words of R. Meir.
    - E R. Judah says, "If he did so inadvertently, he has not effected betrothal. If he did so deliberately, he has effected betrothal."
  - III F And in the case of that which has been dedicated:
    - G "If he did so deliberately, he has effected betrothal, and if he did so inadvertently, he has not effected betrothal," the words of R. Meir.
    - H R. Judah says, "If he did so inadvertently, he has effected betrothal. If he did so deliberately, he has not effected betrothal."
- **2:9** A He who betrothed a woman with (1) *orlah* fruit, (2) with fruit which was subject to the prohibition against Mixed Seeds in a vineyard, (3) with an ox which was to be stoned, (4) with a heifer the neck of which was to be broken, (5) with birds set aside for the offering of a *mesora*, (6) with the hair of a Nazir, (7) with the firstborn of an ass, (8) with meat mixed

with milk, (9) with unconsecrated animals [meat] which had been slaughtered in the courtyard [of the Temple]—

- B she is not betrothed.
- C [If] he sold them off and betrothed a woman with the money received in exchange for them, she is betrothed.
- **2:10** A He who consecrated a woman with food in the status of heave offering, tithe, or gifts [to be given to the priest], purification water, purification ash—
  - B lo, this woman is betrothed,
  - C and even if she is an Israelite.
- **3:1** A He who says to his fellow, "Go and betroth Miss So-and-so for me," and he went and betrothed her for himself—
  - B she is betrothed.
  - C And so:

Π

III

He who says to a woman, "Lo, you are betrothed to me after thirty days [have passed]," and someone else came along and betrothed her during the thirty days—

- D she is betrothed to the second party.
- E [If] it is an Israelite girl betrothed to a priest, she may eat heave offering.
- F [If he said,] "... as of now and after thirty days," and someone else came along and betrothed her during the thirty days,
- G she is betrothed and not betrothed.
- H [If it is either] an Israelite girl betrothed to a priest, or a priest girl betrothed to an Israelite, she should not eat heave offering.
- **3:2** I A He who says to a woman, "Behold, you are betrothed to me, on condition that I pay you two hundred zuz,"—
  - B lo, this woman is betrothed, and he must pay [her what he has promised].
  - C "... on condition that I pay you within the next thirty days," and he paid her during the thirty days, she is betrothed.
    - D And if not, she is not betrothed.
    - E "... on condition that I have two hundred *zuz*," lo, this woman is betrothed, and [if] he has that sum.
  - F "... on condition that I shall show you two hundred *zuz*,
  - G lo, this woman is betrothed, and [if] he will show her that sum.
    - H But if he showed her the money on the table of a money-changer, she is not betrothed.
- **3:3** IV A "... on condition that I have a *kor's* space of land,"
  - B lo, this woman is betrothed, and [if] he has it.
  - V C "... on condition that I have that land in such-and-such a place,"
    - D if he has it in that place, she is betrothed, and if not, she is not betrothed.
  - VI E "... on condition that I show you a *kor's* space of land,"
    - F lo, this woman is betrothed, and [if] he will show it to her.
      - G But if he showed her [land] in a plain (which was not his], she is not betrothed.

## **3:4** A R. Meir says, "Any condition which is not stated as is the condition of the sons of Gad and the sons of Reuben [that is, in both negative and positive formulations], is no condition,

- B "since it says, And Moses said to them, If the children of Gad and the children of Reuben will pass over (Num. 32:29). And it is written, And if they will not pass over armed (Num. 32:20)."
- C R. Hananiah b. Gamaliel says, "The matter had to be stated in just that way, for if not, it would have been implied that even in the Land of Canaan they would not inherit land."
- **3:5** I A He who betroths a woman and said, "I was thinking that she is a priest, and lo, she is a Levite,"
  - "... a Levite, and lo, she is a priest,"
  - II B "A poor girl, and lo, she is a rich girl," "A rich girl, and lo, she is a poor girl,"
    - C lo, she is betrothed,
    - D for she has not deceived him.
  - III E He who says to a woman, "Lo, you are betrothed to me after I convert to Judaism," or "after you convert,"
  - IV F "... after I am freed," or "after you are freed,"
  - V G "... after your husband died," or "... after your sister dies,"
  - VI H after your levir will have performed the rite of removing the shoe with you— I she is not betrothed.
    - J And so he who says to his fellow, "If your wife gives birth to a girl-child, lo, [the baby] is betrothed to me"—she is not betrothed.
    - K If the wife of his fellow indeed was pregnant and the foetus was discernible, his statement is confirmed, and if she produced a girl-child, the baby is betrothed.
- **3:6** A He who says to a woman, "Lo, you are betrothed to me, on condition that I speak in your behalf to the government,"
  - or, "That I work for you as a laborer,"
  - B [if] he spoke in her behalf to the government or worked for her as a laborer, she is betrothed.
  - C And if not, she is not betrothed.
  - D "... on condition that father will concur,"
  - E [if father concurred, she is betrothed. And if not, she is not betrothed.
  - F [If the father died, lo, this woman is betrothed.
  - G [If] the son died, they instruct the father to state that he does not concur.
- **3:7** A "I have betrothed my daughter, but I don't know to whom I have betrothed her,"
  - B and someone came along and said, "I have betrothed her,"—
  - C he is believed.
  - D [If] this one said, "I betrothed her," and [at the same time], that one said, "I betrothed her," both of them give her a writ of divorce.
  - E But if they wanted, one of them gives her a writ of divorce and one of them consummates the marriage.
- **3:8** I A "I have betrothed my daughter," "I have betrothed her and I have accepted her writ of divorce when she was a minor," B and lo she is yet a minor
  - B and lo, she is yet a minor—
  - C he is believed.

- II D "I betrothed her and I accepted her writ of divorce when she was a minor," and lo, she is now an adult—
  - E he is not believed.
- III F "She was taken captive and I redeemed her," whether she is a minor or whether she is an adult,
  - G he is not believed.
  - H He who said at the moment of his death, "I have children," is believed.
  - I [If he said,] "I have brothers," he is not believed.
  - J He who betroths his daughter without specification—the one past girlhood is not taken into account.
- **3:9** A He who has two groups of daughters by two wives [in succession], and who said,
  - B "I have betrothed my oldest daughter, but I do not know whether it is the oldest of the older group or the oldest of the younger group, or the youngest of the older group, who is also older than the oldest of the younger group"—
  - C "all of them are prohibited [to marry without a writ of divorce], except for the youngest of the younger group," the words of R. Meir.
  - D R. Yose says, "They are all permitted, except for the oldest of the older group."
  - E "I betrothed my youngest daughter, but I do not know whether it was the youngest of the younger group, or the youngest of the older group, or the oldest of the younger group, who is younger than the youngest of the older group" —
  - F "all of them are prohibited except for the oldest of the older group," the words of R. Meir.
  - G R. Yose says, "All of them are permitted, except for the youngest of the younger group."
- **3:10** I A He who says to a woman, "I have betrothed you,"
  - B and she says, "You did not betroth me,"
  - C he is prohibited to marry her relatives, but she is permitted to marry his relatives.
  - II D [If] she says, "You betrothed me," and he says, "I did not betroth you"
  - E he is permitted to marry her relatives, and she is prohibited from marrying his relatives.
  - III F "I betrothed you,"
    - G and she says, "You betrothed only my daughter,"
    - H he is prohibited from marrying the relatives of the older woman, and the older woman is permitted to marry his relatives.
    - I He is permitted to marry the relatives of the young girl, and the young girl is permitted to marry his relatives.

#### **3:11** IV A "I have betrothed your daughter,"

- B and she says, "You betrothed only me,"
- C he is prohibited to marry the relatives of the girl, and the girl is permitted to marry his relatives.
- D He is permitted to marry the relatives of the older woman, but the older woman is prohibited from marrying his relatives.

# **3:12** I A In any situation in which there is a valid betrothal and no commission of a transgression, the offspring follows the status of the male.

B What is such a situation?

- C It is the situation in which a priest girl, a Levite girl, or an Israelite girl was married to a priest, a Levite, or an Israelite.
- II D And any situation in which there is a valid betrothal, but there also is the commission of a transgression, the offspring follows the status of the impaired [inferior] party.
  - E And what is such a situation?
  - F It is a widow married to a high priest, a divorcée or woman who has undergone the rite of *halisah* married to an ordinary priest, a *mamzer* girl, or a *Netin* girl married to an Israelite, an Israelite girl married to a *mamzer* or a *Netin*.
- III G And in any situation in which a woman has no right to enter betrothal with this man but has the right to enter into betrothal with others, the offspring is a *mamzer* 
  - H What is such a situation?
  - I This is a man who had sexual relations with any of those women prohibited to him by the Torah.
- IV J But any situation in which a woman has no right to enter into betrothal with this man or with any other man—the offspring is in her status.
  - K And what is such a situation?
  - L It is the offspring of a slave girl or a gentile girl.
- **3:13** A R. Tarfon says, *"Mamzerim* can be purified [from the taint of bastardy].
  - B "How so?
  - C "A mamzer who married a slave girl—
  - D "the offspring is a slave girl.
  - E "[If] he then freed him, the son turns out to be a free man."
  - F R. Eliezer says, "Lo, this is a slave who also is in the status of a *mamzer*
- **4:1** A Ten castes came up from Babylonia: (1) priests, (2) Levites, (3) Israelites, (4) impaired priests, (5) converts, and (6) freed slaves, (7) *mamzers*, (8) *Netins*, (9) "silenced ones" [*shetuqi*], and (10) foundlings.
  - B Priests, Levites, and Israelites are permitted to marry among one another.
  - C Levites, Israelites, impaired priests, converts, and freed slaves are permitted to marry among one another.
  - D Converts, freed slaves, *mamzers*, *Netins*, "silenced ones," and foundlings are permitted to marry among one another.
- **4:2** A And what are "silenced ones"?
  - B Any who knows the identity of his mother but does not know the identity of his father.
  - C And foundlings?
  - D Any who was discovered in the market and knows neither his father nor his mother.
  - E Abba Saul did call a "silenced one" [*shetuqi*] "one who is to be examined" [*beduqi*].
- **4:3** A All those who are forbidden from entering into the congregation are permitted to marry one another.
  - B R. Judah prohibits.
  - C R. Eliezer says, "Those who are of certain status are permitted to intermarry with others who are of certain status.

- D "Those who are of certain status and those who are of doubtful status, those who are of doubtful status and those who are of certain status, those who are of doubtful status and those who are of doubtful status—
- E "it is prohibited."
- F And who are those who are of doubtful status?
- G The "silenced one," the foundling, and the Samaritan.
- **4:4** A He who marries a priest girl has to investigate her [genealogy] for four [generations, via the] mothers, who are eight:
  - B (1) her mother, and (2) the mother of her mother, and (3) the mother of the father of her mother, and (4) her mother, and (5) the mother of her father, and (6) her mother, and (7) the mother of the father of her father, and (8) her mother.
  - C And in the case of a Levite girl and an Israelite girl, they add on to them yet another [generation for genealogical inquiry].
- **4:5** A They do not carry a genealogical inquiry backward from [proof that one's priestly ancestor has served] at the altar,
  - B nor from [proof that one's Levitical ancestor has served] on the platform,
  - C and from [proof that one's learned ancestor has served] in the Sanhedrin.
  - D And all those whose fathers are known to have held office as public officials or as charity collectors—they marry them into the priesthood, and it is not necessary to conduct an inquiry.
  - E R. Yose says, "Also: He who was signed as a witness in the ancient archives in Sepphoris."
  - F R. Haninah b. Antigonos says, "Also: Whoever was recorded in the king's army."
- **4:6** A The daughter of a male of impaired priestly stock is invalid for marriage into the priesthood for all time.
  - B An Israelite who married a woman of impaired priestly stock— his daughter is valid for marriage into the priesthood.
  - C A man of impaired priestly stock who married an Israelite girl—his daughter is invalid for marriage into the priesthood.
  - D R. Judah says, "The daughter of a male proselyte is equivalent to the daughter of a male of impaired priestly stock."
- **4:7** A R. Eliezer b. Jacob says, "An Israelite who married a female proselyte—his daughter is suitable for marriage into the priesthood.
  - B "And a proselyte who married an Israelite girl— his daughter is valid for marriage into the priesthood.
  - C "But a male proselyte who married a female proselyte—his daughter is invalid for marriage into the priesthood.
  - D "All the same are proselytes and freed slaves, even down to ten generations—[the daughters cannot marry into the priesthood]
  - E "unless the mother is an Israelite."
  - F R. Yose says, "Also: A proselyte who married a female proselyte: his daughter is valid for marriage into the priesthood."

**4:8** A He who says, "This, my son, is a *mamzer*" is not believed.

- B And even if both parties say concerning the foetus in the mother's womb, "It is a *mamzer*," they are not believed.
- C R. Judah says, "They are believed."
- **4:9** A He who gave the power to his agent to accept tokens of betrothal for his daughter, but then he himself betrothed her—
  - I B if his came first, his act of betrothal is valid.
  - II C And if those of his agent came first, his act of betrothal is valid.
  - III D And if it is not known [which came first], both parties give a writ of divorce.
    - E But if they wanted, one of them gives a writ of divorce, and one consummates the marriage.
      - F And so: A woman who gave the power to her agent to accept tokens of betrothal in her behalf, and then she herself went and accepted tokens of betrothal in her own behalf—
  - I G if hers came first, her act of betrothal is valid.
  - II H And if those of her agent came first, his act of betrothal is valid.
  - III I And if it is not known [which of them came first], both parties give a writ of divorce.
    - J But if they wanted, one of them gives a writ of divorce and one of them consummates the marriage.

# **4:10** I A He who went along with his wife overseas, and he and his wife and children came home,

- B and he said, "The woman who went abroad with me, lo, this is she, and these are her children"—
- C he does not have to bring proof concerning the woman or the children.
- II D [If he said,] "She died, and these are her children,"
  - E he does bring proof about the children.
    - F But he does not bring proof about the woman.
- **4:11** III A [If he said], "I married a woman overseas. Lo, this is she, and these are her children,"
  - B he brings proof concerning the woman, but he does not have to bring proof concerning the children.
  - IV C "... she died, and these are her children,"
    - D he has to bring proof concerning the woman and the children.
- **4:12** A A man should not remain alone with two women, but a woman may remain alone with two men.
  - B R. Simeon says, "Also: One may stay alone with two women, when his wife is with him.
  - C "And he sleeps with them in the same inn,
  - D "because his wife keeps watch over him."
  - E A man may stay alone with his mother or with his daughter.
  - F And he sleeps with them with flesh touching.
  - G But if they [the son who is with the mother, the daughter with the father] grew up, this one sleeps in her garment, and that one sleeps in his garment.
- **4:13** A An unmarried man may not teach scribes.

- B Nor may a woman teach scribes.
- C R. Eliezer says, "Also: He who has no wife may not teach scribes."
- **4:14** A R. Judah says, "An unmarried man may not herd cattle.
  - B "And two unmarried men may not sleep in the same cloak."
  - C And sages permit it.
  - D Whoever has business with women should not be alone with women.
  - E And a man should not teach his son a trade which he has to practice among women.
  - F R. Meir says, "A man should always teach his son a clean and easy trade. And let him pray to him to whom belong riches and possessions.
  - G "For there is no trade which does not involve poverty or wealth.
  - H "For poverty does not come from one's trade, nor does wealth come from one's trade.
  - I "But all is in accord with a man's merit."
  - J R. Simeon b. Eleazar says, "Have you ever seen a wild beast or a bird who has a trade? Yet they get along without difficulty. And were they not created only to serve me? And I was created to serve my Master. So is it not logical that I should get along without difficulty? But I have done evil and ruined my living."
  - K Abba Gurion of Sidon says in the name of Abba Gurya, "A man should not teach his son to be an ass driver, a camel driver, a barber, a sailor, a herdsman, or a shopkeeper. For their trade is the trade of thieves."
  - L R. Judah says in his name, "Most ass drivers are evil, most camel drivers are decent, most sailors are saintly, the best among physicians is going to Gehenna, and the best of butchers is a partner of Amalek."
  - M R. Nehorai says, "I should lay aside every trade in the world and teach my son only Torah.
  - N "For a man eats its fruits in this world, and the principal remains for the world to come.
  - O "But other trades are not that way.
  - P "When a man gets sick or old or has pains and cannot do his job, lo, he dies of starvation.
  - Q "But with Torah it is not that way.
  - R "But it keeps him from all evil when he is young, and it gives him a future and a hope when he is old.
  - S "Concerning his youth, what does it say? *They who wait upon the Lord shall renew their strength* (Is. 40:31). And concerning his old age what does it say? *They shall still bring forth fruit in old age* (Ps. 92:14).
  - T "And so it says with regard to the patriarch Abraham, may he rest in peace, *And Abraham* was old and well along in years, and the Lord blessed Abraham in all things (Gen. 24:1).
  - U "We find that the patriarch Abraham kept the entire Torah even before it was revealed, since it says, *Since Abraham obeyed my voice and kept my charge, my commandments, my statutes, and my laws* (Gen. 26:5)."

# The Fourth Division The Order of Damages

## BABA QAMMA

- 1:1 A [There are] four generative causes of damages: (1) ox [Ex. 21:35–36], (2) pit [Ex. 21:33], (3) crop-destroying beast [Ex. 22:4], and (4) conflagration [Ex. 22:5].
  - B [The definitive characteristic] of the ox is not equivalent to that of the crop-destroying beast;
  - C nor is that of the crop-destroying beast equivalent to that of the ox;
  - D nor are this one and that one, which are animate, equivalent to fire, which is not animate;
  - E nor are this one and that one, which usually [get up and] go and do damage, equivalent to a pit, which does not usually [get up and] go and do damage.
  - F What they have in common is that they customarily do damage and taking care of them is your responsibility.
  - G And when one [of them] has caused damage, the [owner] of that which causes the damage is liable to pay compensation for damage out of the best of his land [Ex. 22:4].
- **1:2** A In the case of anything of which I am liable to take care, I am deemed to render possible whatever damage it may do.
  - B [If] I am deemed to have rendered possible part of the damage it may do,
  - C I am liable for compensation as if [I have] made possible all of the damage it may do.
  - D (1) Property which is not subject to the law of Sacrilege, (2) property belonging to members of the covenant [Israelites], (3) property that is held in ownership,
  - E and that is located in any place other than in the domain which is in the ownership of the one who has caused the damage,
  - F or in the domain which is shared by the one who suffers injury and the one who causes injury—
  - G when one has caused damage [under any of the aforelisted circumstances],
  - H [the owner of] that one which has caused the damage is liable to pay compensation for damage out of the best of his land [= M. 1:16].
- **1:3** A Assessment [of the compensation for an injury to be paid] is in terms of ready cash [but is paid in kind—that is,] in what is worth money,
  - B before a court,
  - C on the basis of evidence given by witnesses who are freemen and members of the covenant.
  - D Women fall into the category of [parties to suits concerning] damages.
  - E And the one who suffers damages and the one who causes damages [may share] in the compensation.
- **1:4** A [There are] five [deemed] harmless, and five [deemed] attested dangers.
  - B A domesticated beast is not regarded as an attested danger in regard to (1) butting, (2) pushing, (3) biting, (4) lying down, or (5) kicking.
  - C (1) A tooth is deemed an attested danger in regard to eating what is suitable for [eating].
  - D (2) The leg is deemed an attested danger in regard to breaking something as it walks along.
  - E (3) And an ox which is an attested danger [so far as goring is concerned];
  - F (4) and an ox which causes damage in the domain of the one who is injured;
  - G and (5) man.
  - H (1) A wolf, (2) lion, (3) bear, (4) leopard, (5) panther, and (6) a serpent—lo, these are attested dangers.

- I R. Eliezer says, "When they are trained, they are not attested dangers.
- J "But the serpent is always an attested danger."
- K What is the difference between what is deemed harmless and an attested danger?
- L But if that which is deemed harmless [causes damage], [the owner] pays half of the value of the damage which has been caused,
- M [with liability limited to the value of the] carcass [of the beast which has caused the damage].
- N But [if that which is] an attested danger [causes damage], [the owner] pays the whole of the value of the damage which has been caused from the best property [he may own, and his liability is by no means limited to the value of the animal which has done the damage].
- **2:1** A *How is the leg deemed an attested danger in regard to breaking something as it walks along* [M. 1:4D]?
  - I B A beast is an attested danger to go along in the normal way and to break [something].
    - C [But if] it was kicking,
    - D or if pebbles were scattered from under its feet and it [thereby] broke utensils—
    - E [the owner] pays half of the value of the damages [caused by his ox].
    - F [If] it stepped on a utensil and broke it,
    - G and [the utensil] fell on another utensil and broke it,
    - H for the first [the owner] pays the full value of the damage.
    - I But for the second he pays half of the value of the damage.
  - II J Fowl are an attested danger to go along in the normal way and to break [something].
    - K [If] a fowl had its feet entangled,
    - L or if it was scratching and thereby broke utensils,
    - M [the owner] pays only half of the value of the damage [his fowl have caused].
  - A *How is the tooth deemed an attested danger in regard to eating what is suitable for* [eating] [M. 1:4C]?
    - III B An ox is an attested danger to eat fruit and vegetables.
      - C [If, however,] it ate [a piece of] clothing or utensils, [the owner] pays half of the value of the damage it has caused.
      - D Under what circumstances?
      - E [When this takes place] in the domain of the injured party.
      - F But [if it takes place] in the public domain, he is exempt.
      - G But if it [the ox] derived benefit [from damage done in public domain], [the owner] pays for the value of what [his ox] has enjoyed.
      - H How does he pay for the benefit of what [his ox] has enjoyed?
      - I [If] it ate something in the midst of the marketplace, he pays for the value of what it has enjoyed.
      - J [If it ate] from the sides of the marketplace, he pays for the value of the damage that [the ox] has caused.
      - K [If he ate] from [what is located at] the doorway of a store, the owner pays for the value of what it has enjoyed.
      - L [If it ate] from [what is located] inside the store, the owner pays for the value of the damages that it has caused.
- **2:3** A The dog or the goat which jumped from the top of the roof and broke

2:2

utensils-

- B [the owner] pays the full value of the damage [they have caused],
- C because they are attested dangers.
- D The dog which took a cake [to which a cinder adhered] and went to standing grain, ate the cake, and set the stack on fire—
- E for the cake the owner pays full damages,
- F but for the standing grain he pays only for half of the damages [his dog has caused].
- **2:4** A What is a harmless [animal], and what is one which is an attested danger?
  - B "An attested danger is any one about which people have given testimony for three days.
  - C "And a harmless one is that which has refrained [from doing damage] on three days," the words of R. Judah.
  - D R. Meir says, "An attested danger is one against which people have given testimony for three times.
  - E "And a harmless one is any which children can touch without its goring them."
- **2:5** A *An ox which causes damage in the domain of the one who is injured* [M. 1:4F]—how so? B [If] it gored, pushed, bit, lay down, or kicked [M. 1:4B],
  - C in the public domain,
  - D [the owner] pays half of the value of the damages [the ox has caused].
  - E [If it did so] in the domain of the injured party,
  - F R. Tarfon says, "[The owner pays] the full value [of the damages the ox has caused]."
  - G And sages say, "Half of the value.""
  - H Said to them R. Tarfon, "Now in a case in which [the law] deals leniently, namely, with damage caused by tooth or foot in the public domain, in which case [the owner] is exempt [M. 2:2F], [the law nonetheless] has dealt strictly with them in the domain of the injured party, so that [the owner] has to pay the full value of the damages [caused by his ox] [M. 2:2E];
  - I "in a place in which, to begin with, the law has dealt strictly, namely, in the case of damage done by the horn [goring] in the public domain, so that [the owner] has to pay half-damages, is it not logical that we should now impose a strict rule on that same matter when the damage takes place in the domain of the injured party, so that he should have to pay full damages?"
  - J They said to him, "It is sufficient for the inferred law to be as strict as that from which it is inferred.
  - K "Now just as when the damage done by the horn takes place in the public domain, the owner pays half-damages, so [if it takes place] in the domain of the injured party, the owner pays half-damages."
  - L He said to them, "I shall not derive the law for the damage caused by the horn [by analogy to] another case of damages caused by the horn. I shall derive the law covering damage caused by the horn from the law of damage caused by the foot.
  - M "Now if in a situation in which [the law] ruled leniently, namely, in respect to the damage caused by tooth and foot in the public domain, the law has nonetheless imposed a stringent rule in the case of damage caused by the horn;
  - N "in a situation in which the law has imposed a stringent rule, namely, in the case of damage caused by the tooth and the foot, when the injury takes place in the domain of the injured party, is it not reasonable that we should impose a strict rule in the case of damage caused by the horn?"

- O They said to him, "It is sufficient for the inferred law to be as strict as that from which it is inferred.
- P "Just as when the damage takes place in the public domain, the owner pays half-damages, so when the damage takes place in the domain of the injured party, the owner pays half-damages."
- **2:6** A Man is perpetually an attested danger [cf. M. 1:4G]—
  - B whether [what is done is done] inadvertently or deliberately,
  - C whether man is awake or asleep.
  - D [If] he blinded the eye of his fellow or broke his utensils, he pays the full value of the damage he has caused.
- **3:1** I A He who leaves a jug in the public domain,
  - B and someone else came along and stumbled on it and broke it—
  - C [the one who broke it] is exempt.
  - D And if [the one who broke it] was injured by it, the owner of the jug is liable [to pay damages for] his injury.
  - E [If] his jug was broken in the public domain,
  - F and someone slipped on the water,
  - G or was hurt by the sherds,
  - H he is liable.

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V

- I R. Judah says, "In [a case in which he did so] deliberately, he is liable, and in [a case in which he did] not [do so] deliberately, he is exempt."
- **3:2** II A He who pours water out into the public domain,
  - B and someone else was injured on it,
  - C is liable [to pay compensation for] his injury.
  - D He who put away thorns or glass,
    - E and he who makes his fence out of thorns,
      - F and a fence which fell into the public way—
      - G and others were injured by them—
      - H he is liable [to pay compensation for] their injury.
- **3:3** IV A He who brings out his straw and stubble into the public domain to turn them into manure
  - B and someone else was injured on them—
  - C he is liable [to pay compensation for] his injury.
  - D But whoever grabs them first effects possession of them.
  - E Rabban Simeon b. Gamaliel says, "All those who disrupt the public domain and thereby caused injury are liable to pay compensation.
  - F "And whoever grabs [what they left out in the public domain] first effects possession of them."
  - G He who heaps up cattle dung in the public domain
    - H and someone else was injured by it—
    - I he is liable [to pay compensation for] his injury.
- **3:4** A Two pot sellers who were going along, one after another,
  - B and the first of them stumbled and fell down,

- C and the second stumbled over the first—
- D the first one is liable [to pay compensation for] the injuries of the second.

## 3:5

- A This one comes along with his jar, and that one comes along with his beam—
- B [if] the jar of this one was broken by the beam of that one,
- C [the owner of the beam] is exempt,
- D for this one has every right to walk along [in the street], and that one has every right to walk along [in the same street].
- II E [If] the one carrying the beam was coming first, and the one carrying the jar was following behind,
  - F [if] the jar was broken on the beam,
  - G (1) the one carrying the beam is exempt.
  - H (2) But if the one carrying the beam stopped short, he is liable.
  - I (3) And if he said to the one carrying the jar, "Wait up!" he is exempt.
- III J [If] the one carrying the jar was first, and the one carrying the beam was following behind,
  - K [if] the jar was broken on the beam,
  - L (1) [the one carrying the beam] is liable.
  - M (2) But if the one carrying the jar stopped short, [the one carrying the beam] is exempt.
  - N (3) And if he said to the one carrying the beam, "Wait up!" he is liable.
  - O And so is the rule in the case of this one coming along carrying his flame, and that one coming along carrying his flax.
- **3:6** A Two who were going along in the public domain,
  - B one was running, the other ambling,
  - C or both of them running,
  - D and they injured one another—
  - E both of them are exempt.
- **3:7** A He who chops wood in private property, and [the chips] injured someone in public domain, in public domain, and [the chips] injured someone in private property,
  - C in private property, and [the chips] injured someone in someone else's private property—
  - D he is liable.
- **3:8** I A Two oxen [generally deemed] harmless which injured one another—
  - B [the owner] pays half-damages for the excess [of the value of the injury done by the less injured to the more injured ox].
  - II C [If] both of them were attested dangers, [the owner] pays full damages for the excess [of the injury done by the less injured to the more injured ox].
  - III D [If] one was deemed harmless and one an attested danger, [If] it was an ox which was an attested danger [which injured] an ox deemed harmless, [the owner] pays full damages for the excess.
    - E [If] it was the ox deemed harmless [which injured] the one which was an attested danger, [the owner] pays half-damages for the excess.
    - F And so is the rule for two men who injured one another: they pay full damages for the excess [of the injury done by the less injured to the more injured man].

- I G [If it was a case of] a man who injured an ox which was an attested danger, or an ox which was an attested danger which injured a man, one pays full damages for the excess [of the injury done by the one to the other].
  - H [If it was] a man [who injured] an ox deemed harmless, or an ox deemed harmless [which injured] a man—
- II [if it was] the man [who injured] the ox deemed harmless, he pays full damages for the excess.
- III J [If it was] the ox deemed harmless [which injured] the man, one pays half-damages for the excess.
  - K R. Aqiba says, "Also: An ox deemed harmless [which injured] a man [the owner] pays full damages for the excess."
- **3:9** A An ox [deemed harmless] worth a *maneh* [a hundred *zuz*] which gored an ox worth two hundred [*zuz*],
  - B and the carcass [of the latter] is worth nothing—
  - C [the owner of the ox which is gored and worthless] takes the ox [worth a *maneh*, which did the goring].
  - D An ox worth two hundred [*zuz*] which gored an ox worth two hundred,
  - E and the carcass [of the latter] is worth nothing—
  - F said R. Meir, "Concerning such a case it is said [in Scripture], *Then they shall sell the live* ox and divide the proceeds of it (Ex. 21:35)."
  - G Said to him R. Judah, "True, this is the law. Surely you have carried out the verse which says, *Then they shall sell the live ox and divide its proceeds*.
    "But you have not yet carried out [= given an instance of] the verse which says, *And the dead one also they shall divide!*
  - H "Now what is that? This is an ox worth two hundred which gored an ox worth two hundred, and the carcass [of the dead ox] is worth fifty *zuz*—
  - I "For in this case, this party takes half the value of the living ox and half the value of the corpse, and that one takes half the value of the living ox and half the value of the corpse."
- **3:10** A There is (I) he who is liable for the deed of his ox and exempt on account of his own deed, (II) exempt for the deed of his ox and liable on account of his own deed.
  - B (II)His ox which inflicted embarrassment—[the owner] is exempt.
  - C But he who inflicted embarrassment is liable.
  - D (II)His ox which blinded the eye of his slave or knocked out his tooth—[the owner] is exempt.
  - E But he who blinded the eye of his slave or knocked out his tooth is liable.
  - F (I)His ox which injured his father or his mother—[the owner] is liable.
  - G But be who injured his father and his mother is exempt.
  - H (I)His ox which set fire to a shock of grain on the Sabbath—[the owner] is liable.
  - I But he who set fire to a shock of grain on the Sabbath is exempt
  - J because he is subject to liability for his life.

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- A An ox which was running after another ox, and [that latter ox] was injured—
  - B this one claims, "Your ox did the injury,"
  - C and that one claims, "Not so, but it was hit by a stone"—
  - D he who wants to exact [compensation] from his fellow bears the burden of proof.
- II E If two [oxen] were running after one [ox]—
  - F this one says, "Your ox did the damage,"

- G and that one says, "Your ox did the damage"—
- H both of them are exempt.
- I [But] if both of them belonged to the same man, both of them [oxen] are liable [to pay compensation].
- J [If] one of them was big and one little—
- K the one whose ox has suffered an injury says, "The big one did the damage," but the one who is responsible for the damage says, "Not so, but the little one did the damage"—
- L one of them was deemed harmless, and one was an attested danger—
- M the one whose ox has suffered an injury says, "The one which was the attested danger has done the damage," but the one who is responsible for the damage says, "Not so, but the one which had been deemed harmless did the damage"—
- N he who wants to exact [compensation] from his fellow bears the burden of proof.
- O [If] those [oxen] that were injured were two, one big and one small,
  - P and those [oxen] responsible for the injuries were two, one big and one small—
  - Q the one whose ox was injured says, "The big one did the damage to the big one, and the little one to the little one,"
  - R and the one responsible for the damage says, "Not so, but the big one injured the little one, and the little one injured the big one"—
  - S one of them was deemed harmless and one was an attested danger—
  - T the one whose ox has suffered an injury says, "The one which was the attested danger did the damage to the big ox, and the one which had been deemed harmless did the damage to the little ox,"
  - U and the one responsible for the damage says, "Not so, but the one which had been deemed harmless injured the big ox, and the one which had been an attested danger injured the little one"—
  - V he who wants to exact [compensation] from his fellow bears the burden of proof.
- 4:1 A "An ox [deemed harmless] which gored four or five oxen one after the other,
  - B "[first] pays compensation to the last among them.
  - C "If there is excess [value received from the proceeds of the ox which has done the goring], one goes on to the one before it.
  - D "If there still is excess value, one goes on to the one which is before that one.
  - E "The later [claim thus] is the one which is given the advantage," the words of R. Meir.
  - F R. Simeon says, "An ox [deemed harmless] worth two hundred [zuz] which gored an ox which was worth two hundred [zuz],
  - G "and the carcass [of the gored ox] is worth nothing—
  - H "this one takes a *maneh* [a hundred *zuz*], and that one takes a *maneh*.
  - I "[If] it gored another ox, worth two hundred [zuz], the last one takes a hundred zuz and as to the one before it—this one takes fifty zuz, and that one takes fifty zuz.
  - J "[If] it gored yet another ox worth two hundred, the last one takes a hundred *zuz*,
  - K "and the one before it, fifty *zuz*, and the first two [each] take a golden *denar* [twenty-five *zuz*]."
- **4:2** A An ox which is an attested danger as to its own species, but not an attested danger as to what is not its own species—
  - B [or] an attested danger as to man, and not an attested danger as to beast,
  - C [or] an attested danger to small [beasts] but not an attested danger as to large ones—
  - D for that for which it is an attested danger, [the owner] pays full damages,

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- E and for that for which it is not an attested danger, he pays half-damages.
- F They said before R. Judah, "Lo, what if it was an attested danger for Sabbaths but not an attested danger for ordinary days?"
- G He said to them, "For damage done on Sabbaths [the owner] pays full damages,
- H "and for damage done on ordinary days [the owner] pays half-damages."
- I When is it deemed to be harmless? When it refrains [from doing damages] for three successive Sabbaths.
- **4:3** A An ox of an Israelite which gored an ox belonging to the sanctuary—
  - B or an ox belonging to the sanctuary which gored an ox belonging to an Israelite [M. 1:2]—
    - C [the owner] is exempt,
    - D since it is said, *The ox belonging to his neighbor* (Ex. 21:35)—and not an ox belonging to the sanctuary.
    - E An ox belonging to an Israelite which gored an ox belonging to a gentile—
    - F [the Israelite owner] is exempt.
    - G And one of a gentile which gored one of an Israelite—
    - H whether it is harmless or an attested danger, [the gentile owner] pays full damages.
- **4:4** A An ox of a person of sound senses which gored an ox belonging to a deaf-mute, an idiot, or a minor—
  - B [the owner] is liable.
  - C But one of a deaf-mute, idiot, or minor which gored an ox belonging to a person of sound senses—[the owner] is exempt.
  - D [As to] the ox of a deaf-mute, idiot, or minor, the court appoints a guardian for them, and they bring testimony against [the ox, to have it declared an attested danger] to the guardian.
  - E [If] the deaf-mute gained capacity to hear, the idiot regained his senses, or the minor reached maturity,
  - F "[an ox belonging to one of them which had been declared an attested danger] has returned to its status of being deemed harmless," the words of R. Meir.
  - G R. Yose says, "Lo, it remains in its established status."
  - H An ox belonging to the stadium [trained to fight other oxen or men] is not liable to the death penalty,
  - I since it is said, *When it will gore*, (Ex. 21:28) and not, When others will cause it to gore.
- **4:5** A An ox which gored a man, who died—
  - B [if it was] an attested danger, [the owner] pays a ransom price [of the value of the deceased].
  - C But [if it was deemed] harmless, he is exempt from paying the ransom price.
  - D And in this case and in that case, [the oxen] are liable to the death penalty.
  - E And so is the rule [if it killed] a little boy or girl [son, daughter: Ex. 21:31].
  - F [If] it gored a boy slave or a girl slave, [the owner] pays thirty *selas* [Ex. 21:32],
  - G whether [the slave] was worth a *maneh* or a single *denar*
- **4:6** A An ox which was rubbing itself against a wall,
  - B and [the wall] fell on a man,
  - C [if] it had intended to kill (1) another beast, but killed a man,
  - D (2) a gentile but killed an Israelite,
  - E (3) an untimely birth but killed a viable infant—

- F [the ox] is exempt [from death by stoning (Samuel) or from both ransom and stoning (Rab), B. B.Q. 44a].
- **4:7** A (1) An ox belonging to a woman, (2) an ox belonging to orphans, (3) an ox belonging to a guardian, (4) an ox of the wilderness, (5) an ox belonging to the sanctuary, (6) an ox belonging to a proselyte who died lacking heirs—
  - B lo, these [oxen] are liable to the death penalty.
  - C R. Judah says, "(4) an ox of the wilderness, (5) an ox belonging to the sanctuary, and (6) the ox of a proselyte who died are exempt from liability to the death penalty,
  - D "for they are not subject to a particular owner."
- **4:8** A An ox which goes forth to be stoned, and which the owner [then] declared to be sanctified is not deemed to have been sanctified.
  - C [If] one has slaughtered it, its meat is prohibited [Ex. 21:28].
  - D But if before the court process had been completed the owner declared it sanctified, it is deemed sanctified.
  - E And [if] one had slaughtered it, its meat is permitted.
- **4:9** A [If] one had handed it over to an unpaid bailee,
  - B or to a borrower,
  - C to a paid bailee,
  - D or to a renter,
  - E they take the place [and assume the liabilities] of the owner.
  - F [For an ox deemed an] attested danger [one of these] pays full damages, and [for one] deemed harmless [he] pays half-damages.
  - G [If] the owner tied it up with a halter,
  - H or locked it up in a proper way,
  - I and it went out and did damage—
  - J "all the same are an animal deemed harmless and one which is an attested danger—
  - K "[the owner] is liable," the words of R. Meir.
  - L R. Judah says, "[The owner of an animal deemed] harmless is liable, but one regarded as an attested danger is exempt,
  - M "since it is said, And it has been testified to its owner, but he did not keep him in (Ex. 21:29)—
  - N "but this one has been kept in."
  - O R. Eliezer says, "The only appropriate 'keeping in' for such an animal [as is an attested danger] is the knife."
- **5:1** A An ox [deemed harmless] which gored a cow [which died] and her newly born calf was found [dead] beside her—
  - B and it is not known whether, before it gored her, she gave birth, or after it gored her, she gave birth—
  - C [the owner of the ox] pays half-damages for the cow, and quarter-damages for the offspring.
  - D And so too, a cow [deemed harmless] which gored an ox, and her newly born young was found beside her,
  - E and it is not known whether before she gored, she gave birth, or after she gored, she gave birth—

- F [the owner of the cow] pays half-damages from the corpus of the cow, and quarterdamages from the corpus of the offspring.
- **5:2** I A (1) The potter who brought his pots into the courtyard of the householder without permission,
  - B and the beast of the householder broke them—
  - C [the householder] is exempt.
  - D (2) And if [the beast] was injured on them,
  - E the owner of the pots is liable.
  - F (3) If [however], he brought them in with permission,
  - G the owner of the courtyard is liable.
  - II H (1) [If] he brought his produce into the courtyard of the householder without permission,
    - I and the beast of the householder ate them up,
    - J [the householder] is exempt.
    - K (2) And if [the beast] was injured by them, the owner of the produce is liable.
    - L (3) But if he brought them in with permission, the owner of the courtyard is liable.
- **5:3** III A (1) [If] he brought his ox into the courtyard of a householder without permission, and the ox of the householder gored it,
  - C or the dog of the householder bit it,
  - D [the householder] is exempt.
  - E (2) [If] that [ox] gored the ox of the householder,
  - F [the owner] is liable.
  - G [If] it fell into his well and polluted its water, [the owner of the ox] is liable.
  - H [If] his father or son was in [the well and was killed], [the owner of the ox] pays ransom money.
  - I (3) But if he brought it in with permission, the owner of the courtyard is liable.
  - J Rabbi says, "In all cases [the householder] is liable only if he undertakes upon himself to guard the ox."
- **5:4** A An ox which was intending [to gore] its fellow, but hit a woman, and her offspring came forth [as a miscarriage]—
  - B [the owner of the ox] is exempt from paying compensation for the offspring.
  - C And a man who was intending [to hit] his fellow but hit a woman, and her offspring came forth,
  - D pays compensation for the offspring.
  - E How does one assess compensation for offspring?
  - F They make an estimate of the woman's value before she gave birth, and how much she is worth now.
  - G Said Rabban Simeon b. Gamaliel, "If so, once a woman gives birth, she should gain in value!"
  - H "But: They make an estimate of the offspring's value."
  - I And one pays the husband [Ex. 21:22].
  - J But if she does not have a husband, [the owner of the ox] pays the [husband's] heirs.
  - K [If] she was a slave girl who was freed, or a convert, [the man] is exempt [from paying compensation].

- 5:5 A He who digs a pit in private domain and opens it into public domain,
  - B or in public domain and opens it into private domain,
  - C or in private domain and opens it into private domain belonging to someone else,
  - D is liable [for damage done by the pit].
  - E He who digs a pit in public domain, and an ox or an ass fell into it and died, is liable.
  - F It is all the same whether one digs a pit, a trench, cavern, ditches, or channels: he is liable.
  - G Why then is it written, A *pit* (Ex. 21:33)?
  - H Just as a pit under discussion is one which is sufficiently deep so as to cause death, namely, ten handbreadths in depth, so anything which is sufficiently deep so as to cause death will be at least ten handbreadths in depth.
  - I [If] they were less than ten handbreadths in depth and an ox or an ass fell into it and died, [the owner] is exempt.
  - J But if they were injured in it, he is liable.
- **5:6** I A A pit belonging to two partners—
  - B one of them passed by it and did not cover it,
  - C and the second one also did not cover it—
  - D the second one is liable.
  - II E [If] the first one covered it up, and the second one came along and found it uncovered and did not cover it up.
    - F the second one is liable.
  - III G [If] he covered it up in a proper way, and an ox or an ass fell into it and died, he is exempt.
  - IV H [If] he did not cover it up in the proper way and an ox or an ass fell into it and died, he is liable.
  - V I [If] it fell forward [not into the pit] because of the sound of the digging, [the owner of the pit] is liable.
  - VI J [If] it fell backward [not into the pit] because of the sound of the digging, [the owner of the pit] is exempt.
  - VII K [If] an ox carrying its trappings fell into it and they were broken, an ass and its trappings and they were split,
    - L [the owner of the pit] is liable for the beast but exempt for the trappings.
  - VIII M [If] an ox belonging to a deaf-mute, an idiot, or a minor fell into it, [the owner] is liable.
  - IX N [If] a little boy or girl, a slave boy or a slave girl [fell into it], he is exempt [from paying a ransom].
- **5:7** A All the same are an ox and all other beasts so far as (1) falling into a pit, (2) keeping apart from Mount Sinai [Ex. 19:12], (3) a double indemnity [Ex. 22:7], (4) the returning of that which is lost [Dt. 22:3, Ex. 23:4] (5), unloading [Ex. 23:5], (6) muzzling [Dt. 25:4], (7) hybridization [Lev. 19:19, Dt. 22:10], and the (8) Sabbath [Ex. 20:10, Dt. 5:14].
  - B And so too are wild beasts and fowl subject to the same laws.
  - C If so, why is *an ox or an ass* specified? But Scripture spoken in terms of prevailing conditions.
- **6:1** I A He who brings a flock into a fold and shut the gate before it as required,
  - B but [the flock] got out and did damage,
  - C is exempt.
  - D [If] he did not shut the gate before it as required,

- E and [the flock] got out and did damage,
- F he is liable.
- II G [If the fence] was broken down by night,
  - H or thugs broke it down,
  - I and [the flock] got out and did damage,
  - J he is exempt.
  - K [If] the thugs took [the flock] out, [and the flock did damage], the thugs are liable.
- **6:2** III A [If] he left it in the sun,
  - B [or if] he handed it over to a deaf-mute, idiot, or minor,
  - C and [the flock] got out and did damage,
  - D he is liable.
  - E [If] he handed it over to a shepherd, the shepherd takes the place of the owner [as to liability].
  - F [If the flock] [accidentally] fell into a vegetable patch and derived benefit [from the produce], [the owner must] pay compensation [only] for the value of the benefit [derived by the flock].
  - G [If the flock] went down in the normal way and did damage, [the owner must] pay compensation for the [actual] damage which [the flock] inflicted.
  - H How does [the owner] pay compensation for the [actual] damage which [the flock] inflicted?
  - I They make an estimate of the value of a *seah* area of land in that field, as to how much it had been worth and how much it now is worth.
  - J R. Simeon says, "[If the flock] consumed ripe produce, [the owner] pays compensation for ripe produce.
  - K "[If the flock destroyed] a *seah* [of ripe produce], [he must pay for] a *seah;* if two *seahs*, two *seahs.*"
- **6:3** A He who stacks sheaves in the field of his fellow without permission,
  - B and the beast of the owner of the field ate them up—
  - C [the owner of the field] is exempt.
  - D And [if] it was injured by them, the owner of the sheaves is liable.
  - E But if he had put his sheaves there with permission, the owner of the field is liable.
- **6:4** A He who causes a fire to break out through the action of a deaf-mute, idiot, or minor, is exempt from punishment under the laws of man, but liable to punishment under the laws of heaven.
  - B [If] he did so through the action of a person of sound senses, the person of sound senses is liable.
  - C [If] one person brought the flame, then another person brought the wood, the one who brings the wood is liable.
  - D [If] one person brought the wood and the other person then brought the flame, the one who brought the flame is liable.
  - E [If] a third party came along and fanned the fire, the one who fanned the flame is liable.
  - F [If] the wind fanned the flame, all of them are exempt.
  - G He who causes a fire to break out, which consumed wood, stones, or dirt, is liable,
  - H since it is said, *If fire breaks out and catches in thorns so that the sheaves of wheat or the standing corn or the field be consumed, he that kindled the fire shall surely make restitution* (Ex. 22:6).

- I [If the fire] crossed a fence four handbreadths high or a road or a stream, [the one who started it] is exempt.
- J He who makes a fire on his own property—how far may it spread [so that he remains liable for damage which it does, in line with I]?
- K R. Eleazar b. Azariah says, "They regard [the fire] as if it were in the middle of a *kor's* area of land."
- L R. Eliezer says, "Sixteen cubits, like a public road."
- M R. Aqiba says, "Fifty cubits."
- N R. Simeon says, *"He that kindled the fire shall surely make restitution—* all accords with the character of the fire itself."
- 6:5 A He who sets fire to a stack of grain, and there were utensils in it, which burned up—
  - B R. Judah says, "[The one who lit the fire] pays compensation for what is in [the stack]."
  - C And sages say, "He pays only for a stack of wheat or barley."
  - D [If] a kid was tied up to [a barn], and a slave boy was nearby, and [they] got burned along with [the barn], he is liable [for the kid].
  - E [If] a slave boy was tied up to it, and a kid was near by, and [these] got burned along with it, he is exempt [for the slave boy].
  - F And sages concede to R. Judah in the case of him who sets fire to a large building, that he pays compensation for everything which is in it.
  - G For it certainly is normal for people to leave things in their houses.
- **6:6** A A spark which flew out from under the hammer and did damage
  - B [the smith] is liable.
  - C A camel which was carrying flax and passed by in the public way, and the flax it was carrying got poked into a store and caught fire from the lamp of the storekeeper and set fire to the building—
  - D the owner of the camel is liable.
  - E [If] the storekeeper had left his lamp outside, the storekeeper is liable.
  - F R. Judah says, "In the case of a lamp for Hanukkah, he is exempt."
- **7:1** A More encompassing is the rule covering payment of twofold restitution than the rule covering payment of fourfold or fivefold restitution.
  - B For the rule covering twofold restitution applies to something whether animate or inanimate.
  - C But the rule covering fourfold or fivefold restitution applies only to an ox or a sheep alone,
  - D since it says, *If a man shall steal an ox or a sheep and kill it, or sell it, he shall pay five oxen for an ox and four sheep for a sheep* (Ex. 22:1 [21:37]).
  - E The one who steals from a thief does not pay twofold restitution.
  - F And the one who slaughters or sells what is stolen does not pay fourfold or fivefold restitution.
- 7:2 I A [If] one stole [an ox or a sheep] on the evidence of two witnesses,
  - B and [was convicted of having] slaughtered or sold on the basis of their testimony,
  - C or on the basis of the testimony of two other witnesses,
    - D he pays fourfold or fivefold restitution.
  - II E (1) [If] he stole or sold [an ox or a sheep] on the Sabbath,
    - F (2) stole and sold [an ox or a sheep] for idolatrous purposes,

		G H	<ul><li>(3) stole and slaughtered [an ox or a sheep] on the Day of Atonement,</li><li>(4) stole [an ox or a sheep] belonging to his father and slaughtered or sold it, and afterward his father died,</li></ul>
		Ι	(5) stole and slaughtered, and afterward consecrated [an ox or a sheep],
		J	he pays fourfold or fivefold restitution.
	III	K	(1) [If] he stole and slaughtered [an ox or a sheep] for use in healing or for food for dogs,
		L	(2) he who [steals and] slaughters [an ox or a sheep] which turns out to be <i>terefah</i> ,
		Μ	(3) he who slaughters unconsecrated beasts in the Temple courtyard—
		Ν	he pays fourfold or fivefold restitution.
		Ο	R. Simeon declares him exempt in these last two matters.
7:3	Ι	А	[If] one stole [an ox or a sheep] on the evidence of two witnesses,
		В	and [was convicted of having] slaughtered or sold [it] on the basis of their testimony,
		С	and they turned out to be false witnesses,
		D	they pay full restitution.
	II	Е	[If] he stole on the evidence of two witnesses,
		F	and [was convicted of having] slaughtered or sold it on the basis of the testimony of two other witnesses,
		G	[and] these and those turn out to be false witnesses,
		Η	the first pair of witnesses pays twofold restitution, and the second pair of witnesses pays threefold restitution.
	III	Ι	[If] the latter pair of witnesses turn out to be false witnesses, he pays twofold restitution, and they pay threefold restitution.
		J	[If] one of the latter pair of witnesses turns out to be false, the evidence of the second one is null.
		K	[If] one of the first pair of witnesses turns out to be false, the entire testimony is null.
		L	For if there is no culpable act of stealing, there is no culpable act of slaughtering or selling.
7:4	Ι	А	[If] one stole [an ox or a sheep] on the evidence of two witnesses and [was accused of having] slaughtered or sold [the ox or sheep] on the basis of only one,
		В	or on the basis of the evidence of his own [confession],
		С	he pays twofold restitution and does not pay fourfold or fivefold restitution.
	II	D	(1) [If] he stole and slaughtered on the Sabbath,
		E	(2) stole and slaughtered for idolatrous purposes,
		F	(3) stole from his father's [herd of oxen or sheep] and then his father died and afterward he slaughtered or sold [the beast],
		G	(4) stole and then consecrated [the animal] and afterward slaughtered or sold it,
		H	he pays twofold restitution and does not pay fourfold or fivefold restitution.
		I	R. Simeon says, "For Holy Things for the replacement, if lost, of which he bears
			responsibility does he pay fourfold or fivefold restitution.
		J	"And for those for the replacement, if lost, of which he bears no responsibility, he is exempt."
7:5	III	А	(1) [If] one sold [all] but one hundredth part of [a stolen ox or sheep],
		р	$(2) = \frac{1}{2} \int dx $

B (2) or if [the thief already] owned a share of it,

- C (3) he who slaughters [an ox or a sheep] and it turns out to be made into carrion by his own hand,
- D (4) he who pierces [the windpipe],
- E (5) and he who tears out [its gullet]
- F pays twofold restitution and does not pay fourfold or fivefold restitution.
- G [If] (1) he stole it in the owner's domain but slaughtered or sold it outside of his domain,
- H or (2) [if] he stole it outside of his domain and slaughtered or sold it in his domain,
- I or (3) if he stole and slaughtered or sold it outside of his domain,
- J he pays fourfold or fivefold restitution.
- K But if he stole and slaughtered or sold it [wholly] in his domain, he is exempt.
- **7:6** A [If the thief] was dragging [a sheep or ox] out [of the owner's domain], but it died in the domain of the owner,
  - B he is exempt.
  - C [If] he lifted it up or removed it from the domain of the owner and then it died, he is liable.
  - D [If] he handed it over for (1) the firstborn offering at the birth of his son,
  - E or (2) to a creditor,
  - F to (3) an unpaid bailee,
  - G or (4) to a borrower,
  - H or (5) to a paid bailee,
  - I or (6) to a renter,
  - J and [one of these] was dragging it away, and it died in the domain of the owner,
  - K he is exempt.
  - L [If] he raised it up or removed it from the domain of the owner and then it died, he is liable.
- 7:7 I A They do not rear small cattle in the Land of Israel,
  - B but they do rear them in Syria and in the wastelands which are in the Land of Israel.
  - II C They do not rear chickens in Jerusalem, on account of the Holy Things,
    - D nor do priests [rear chickens] anywhere in the Land of Israel, because of the [necessity to preserve] the cleanness [of heave offering and certain other foods which are handed over to the priests].
  - III E They do not rear pigs anywhere.
    - F A person should not rear a dog, unless it is kept tied up by a chain.
    - G They do not set traps for pigeons, unless they are thirty *ris* from a settlement.
- **8:1** A He who injures his fellow is liable to [compensate] him on five counts:
  - B (1) injury, (2) pain, (3) medical costs, (4) loss of income [lit.: loss of time], and (5) indignity.
  - C For *injury:* How so?
  - D [If] one has blinded his eye, cut off his hand, broken his leg, they regard him as a slave up for sale in the market and make an estimate of how much he was worth beforehand [when whole], and how much he is now worth.
  - E Pain:
  - F [If] he burned him with a spit or a nail,
  - G and even on his fingernail, a place in which [the injury] does not leave a lasting wound,
  - H they assess how much a man in his status is willing to take to suffer pain of that sort.
  - I Medical costs:

- J [If] he hit him, he is liable to provide for his medical care.
- K [If] sores arise on him, if [they are] on account of the blow, he is liable; [but if] they are not on account of the blow, he is exempt.
- L [If] the wound got better and opened up again, got better and opened up again, he remains liable to provide for his medical care.
- M [If the wound] properly healed, he is no longer liable to provide medical care for him.
- N Loss of income:
- O They regard him [in estimating income] as if he is a keeper of a cucumber field,
- P for [the defendant] already has paid off the value of his hand or his leg.
- Q Indignity:
  - All [is assessed] in accord with the status of the one who inflicts the indignity and the one who suffers the indignity.
- R He who inflicts indignity on one who is naked,
- S he who inflicts indignity on one who is blind,
- T or he who inflicts indignity on one who is asleep
- U is liable.
- V But one who is sleeping who inflicted indignity is exempt [on that count].
- W [If] he fell from the roof and did injury and also inflicted indignity,
- X he is liable for the injury [he has inflicted] but exempt from the indignity,
- Y as it is said, And she puts forth her hand and grabs him by the private parts (Dt. 25:11).
- Z One is liable on the count of indignity only if he intended [to inflict indignity].
- 8:2 A This rule is more strict in the case of man than in the case of an ox.
  - B For a man pays compensation for injury, pain, medical costs, loss of income, and indignity;
    - C and he pays compensation for the offspring [Ex. 21:22].
  - D But [the owner of] an ox pays compensation only for the injury.
  - E And he is exempt from liability to pay compensation for the offspring.
- 8:3 A He who hits his father or his mother but did not make a wound on them,
  - B or he who injures his fellow on the Day of Atonement
  - C is liable on all counts.
  - D He who injures a Hebrew slave is liable on all counts, except for loss of time
  - E when he belongs to him [who did the damage].
  - F He who injures a Canaanite slave belonging to other people is liable on all counts.
  - G R. Judah says, "Slaves are not subject to compensation for indignity."
- **8:4** A deaf-mute, idiot, and minor— meeting up with them is a bad thing.
  - B He who injures them is liable.
  - C But they who injure other people are exempt.
  - D A slave and a woman—meeting up with them is a bad thing.
  - E He who injures them is liable.
  - F And they who injure other people are exempt.
  - G But they pay compensation after an interval:
  - H [if] the woman is divorced, the slave freed, they become liable to pay compensation.
- 8:5 A He who hits his father or his mother and did make a wound on them,
  - B and he who injures his fellow on the Sabbath
  - C is exempt on all counts,

- D for he is put on trial for his life.
- E And he who injures a Canaanite slave belonging to himself is exempt on all counts.
- **8:6** A He who boxes the ear of his fellow pays him a *sela*.
  - B R. Judah says in the name of R. Yose the Galilean, "A *maneh*.
  - C [If] he smacked him, he pays him two hundred *zuz*.
  - D [If] it is with the back of his hand, he pays him four hundred *zuz*.
  - E [If] he (1) tore at his ear, (2) pulled his hair, (3) spit, and the spit hit him, (4) pulled off his cloak, (5) pulled apart the hairdo of a woman in the marketplace,
  - F he pays four hundred *zuz*.
  - G This is the governing principle: Everything is in accord with one's station.
  - H Said R. Aqiba, "Even the poorest Israelites do they regard as gentle folk who have lost their fortunes.
  - I "For they are the children of Abraham, Isaac, and Jacob."
  - J *M'SH B*: Someone pulled apart the hairdo of a woman in the marketplace.
  - K She came before R. Aqiba, who required him to pay her four hundred *zuz*.
  - L He said to him, "Rabbi, give me time [to pay her off
  - M He gave him time.
  - N He caught her standing at the door of her courtyard and broke a jar of oil in front of her, containing no more than an *issar's* worth of oil. She let down her hair and mopped up the oil and put her hand [with the oil] on her hair [so making use of that small quantity of oil].
  - O Now he had set witnesses up against her. Then he came before R. Aqiba.
  - P He said to him, "Rabbi, to a woman such as this am I to pay off four hundred *zuz*?"
  - Q He said to him, "You have no claim whatsoever."
  - R He who does injury to himself, even though he has no right to do so, is exempt.
  - S But others who did injury to him are liable.
  - T He who cuts down his own shoots, even though he has no right, is exempt.
  - U Others who cut down his shoots are liable.
- 8:7

Π

- A Even though [the defendant] pays off [the plaintiff], he is not forgiven until he seeks [forgiveness] from [the plaintiff],
  - B since it is said, *Now restore the man's wife ... and he will pray for you* (Gen. 20:7).
- C And how do we know that the one who is supposed to forgive should not be churlish?
- D Since it is said, *And Abraham prayed to God, and God healed Abimelekh* (Gen. 20:17).
- I E He who says, "Blind my eye,"
  - F "Cut off my hand,"
    - G "Break my leg"—
  - H [the one who does so] is liable.
  - I [If he added,] "... on condition of being exempt," [the one who does so] is liable [anyhow].
  - J "Tear my cloak,"
    - K "Break my jar,"
    - L [the one who does so] is liable.
    - M [If he added,] "... on condition of being exempt," [the one who does so] is exempt.
- III N "Do it to Mr. So-and-so, on condition of being exempt,"
  - O he [who does so] is liable, whether this is to his person or to his property.

- 9:1 I A He who steals wood and made it into utensils,
  - B wool and made it into clothing,
  - C pays [compensation in accord with the value of the wood or wool] at the time of the theft.
  - II D [If] he stole a pregnant cow and it gave birth,
    - E a ewe heavy with wool [needing shearing], and he sheared it—
    - F he pays the value of a cow which is about to give birth, or of a ewe which is about to be sheared.
  - III G [If] he stole a cow, and it got pregnant while with him and gave birth,
    - H a ewe, and it became heavy [with wool] while with him, and he sheared it,
    - I he pays [compensation in accord with the value of the cow or ewe] at the time of the theft.
    - J This is the governing principle:
    - K all robbers pay compensation [in accord with the value of the stolen object] at the time of the theft.
- 9:2 A [If] he stole a beast and it got old,
  - B slaves and they got old,
  - C he pays [compensation for them in accord with their value] at the time of the theft.
  - D R. Meir says, "In the case of slaves, he may say to him, 'Here is what is yours before you!'
  - E [If] he stole (1) a coin and it got cracked,
  - F (2) pieces of fruit and they turned rotten,
  - G (3) wine and it turned into vinegar,
  - H he pays [compensation for them in accord with their value] at the time of the theft.
  - I [If he stole] (1) a coin, and it was declared invalid, (2) heave offering, and it became unclean, (3) leaven, and the festival of Passover passed [making it no longer available for Israelite use], (4) a beast, and a transgression was committed upon it, or (5) [a beast] which was invalidated for use on the altar, or (6) which was going forth to be stoned,
  - J [the robber] says to him, "Here is what is yours right in front of you!"
- **9:3** A [If] one gave [something] to craftsmen to repair, and they spoiled [the object], they are liable to pay compensation.
  - B [If] he gave to a joiner a box, chest, or cupboard to repair, and he spoiled it, he is liable to pay compensation.
  - C A builder who took upon himself to destroy a wall, and who smashed the rocks or did damage is liable to pay compensation.
  - D [If] he was tearing down the wall on one side, and it fell down on the other side, he is exempt.
  - E But if it is because of the blow [which he gave it], he is liable.
- **9:4** A He who hands over wool to a dyer, and the [dye in the] cauldron burned it, [the dyer] pays the value of the wool.
  - B [If] he dyed it in a bad color,
  - C if [the wool] increased in value more than the outlay [of the dyer],
  - D [the owner of the wool] pays him the money he has laid out in the process of dyeing.
  - E But if the outlay of the dyer is greater than the increase in value of the wool,
  - F [the owner] pays him back only the value of the improvement.
  - G [If he gave wool to a dyer] to dye it red, and he dyed it black,

- H [or] to dye it black, and he dyed it red—
- I R. Meir says, "[The dyer] pays him back the value of his wool."
- J R. Judah says, "If the increase in value is greater than the outlay for the process of dyeing, [the owner] pays him back the outlay for the process of dyeing.
- K "And if the outlay for the process of dyeing is greater than the increase in the value of the wool, [the dyer] pays him only the increase in value of the wool."
- **9:5** A He who stole something from his fellow worth only a *perutah*,
  - B and took an oath to him [that he had stolen nothing, but then wants to make restitution],
  - C must take it to him, even all the way to Media.
  - D He should not give it to his son or his agent, but he may hand it over to an agent appointed by a court.
  - E And if [the victim] died, [the robber] restores [the object] to his estate.
- 9:6 I A [If the thief] paid him back the principal but did not pay the added fifth,
  - II B [if the victim] forgave him the value of the principal but did not forgive him the value of the added fifth,
    - III C [if] he forgave him for this and for that, except for something less a *perutah* out of the principal,
      - D he need not take it back to him.
    - I E [If] he [the thief] gave him back the added fifth and did not hand over the principal,
    - II F [If the victim] forgave him the added fifth but did not forgive him the principal,
    - III G forgave him for this and for that, except for an amount of the principal that added up to a *perutah*,
      - H then he has to go after him [to make restitution, wherever he may be].
- **9:7** A [If] he paid him back the principal but swore [falsely] to him about the added fifth [and then confessed],
  - B lo, this one pays back an added fifth for the added fifth,
  - C [and so is the rule] until the value of the principal [of the added fifth] becomes less than a *perutah* in value.
  - D And so [is the rule] in the case of a bailment.
  - E For it is written, In a matter of deposit or of bargain or of robbery, or if he have oppressed his neighbor of having found that which was lost and deal falsely therein and swear to a lie (Lev. 6:2–3)—
  - F lo, this one pays back the principal, an added fifth, and a guilt offering.
  - G [If one said], "Where is my bailment?"
  - H he said to him, "It got lost."
  - I "I impose an oath on you!"
  - J and he said, "Amen,"
  - K then witnesses come along and give testimony against him that he had eaten it up—
  - L he pays back the principal.
  - M [If] he had confessed on his own, he pays back the principal, the added fifth, and a guilt offering.
- **9:8** A "Where is my bailment?"
  - B He said to him, "It was stolen."
  - C "I impose an oath on you!"

- D And he said, "Amen,"—
- E Then witnesses come along and testify against him that he stole it,
- F he pays twofold restitution.
- G [If] he had confessed on his own, he pays the principal, an added fifth, and guilt offering.
- 9:9 A He who steals from his father and takes an oath to him, and then [the father] dies—
  - B lo, this one pays back the principal and an added fifth to his [father's other] sons or brothers [and brings the guilt offering].
  - C But if he does not want to do so or does not have what to pay back,
  - D he takes out a loan,
  - E and the creditors come along and collect what is owing.
- **9:10** A He who says to his son, "*Qonam!* You will not derive benefit from anything that is mine!"—
  - B if the father died, the son may inherit him.
  - C [But if he had specified that the vow applied] in life and after death, if the father died, the son may not inherit him.
  - D And he must return [what he has of the father's] to his sons or to his brothers.
  - E And if he does not have that to repay, he takes out a loan,
  - F and the creditors come along and collect what is owing.
- **9:11** A He who steals from a proselyte and takes a [false] oath to him, and then [the proselyte] dies—
  - B lo, this person pays the principal and added fifth to the priests,
  - C and the guilt offering to the altar,
  - D since it is said, But if the man have no kinsman to whom restitution may be made for the guilt, the restitution for guilt which is made unto the Lord shall be the priest's, beside the ram of atonement whereby atonement shall be made for him (Num. 5:8).
  - E [If the thief] was bringing up the money and the guilt offering [in line with A-D], and he died,
  - F the money is to be given to his [the thief's] sons.
  - G And the guilt offering is set out to pasture until it suffers a disfiguring blemish, then it is sold, and the money received for it falls to the chest for the purchase of a freewill offering.
- **9:12** A If he [who had stolen from a proselyte] had paid over the money to the men of the priestly watch on duty, and then [the thief] died,
  - B the heirs cannot retrieve the funds from their possession,
  - C since it is said, *Whatsoever any man gives to the priest shall be his* (Num. 5:10).
  - D [If] he gave the money to the priestly watch of Jehoiarib [which is prior], and the guilt offering to the priestly watch of Jedaiah [which is later], he has carried out his obligation.
  - E [If he gave] the guilt offering to the priestly watch of Jehoiarib and the money to the priestly watch of Jedaiah,
  - F if the guilt offering is yet available, the family of Jedaiah should offer it up.
  - G And if not, he should go and bring another guilt offering.
  - H For he who brings back what he had stolen before he brought his guilt offering has fulfilled his obligation.
  - I But if he brought his guilt offering before he brought back what he had stolen, he has not fulfilled his obligation.

- J [If] he handed over the principal but did not hand over the added fifth, the added fifth does not stand in the way [of offering the guilt offering and so completing his obligation].
- 10:1 A He who steals [food] and feeds [what he stole] to his children, or left it to them—
  - B they are exempt from making restitution.
  - C But if it was something which is subject to a mortgage, [that is, real estate], they are liable to make restitution.
  - D They do not change money from the chest of the excise collectors or from the fund of the tax farmers.
  - E And they do not take from them contributions to charity.
  - F But one may take [from them contributions for charity] when the funds are] from [the collector's] own home or from the marketplace.
- **10:2** I A [If] excise collectors took one's ass and gave him another ass,
  - B [if] thugs took his garment and gave him another garment,
  - C lo, these are his,
  - D because the original owners have given up hope of getting them back.
  - II E He who saves something from a river, from a raid, or from thugs,
  - F if the owner has given up hope of getting them back, lo, these belong to him.
  - III G And so a swarm of bees:
    - H If the owner had given up hope of getting it back, lo, this belongs to him.
    - I Said R. Yohanan b. Beroqah, "A woman or minor is believed to testify, 'From this place did this swarm go forth.' "
    - J And one may walk through the field of his fellow to get back his swarm of bees.
    - K But if he did damage, he pays compensation for the damage which he did.
    - L But he may not cut off a branch of his tree [to retrieve the swarm, even] on condition that he pay damages for it.
    - M R. Ishmael, son of R. Yohanan b. Beroqah, says, "Also: he cuts down the branch and pays damages for it."
- **10:3** A He who recognizes his utensils or his books in someone else's possession,
  - B and a report of theft had gone forth in the town—
  - C the purchaser takes an oath to him specifying how much he had paid and takes [the price in compensation from the original owner, and gives back the property].
  - D And if not, [the original owner] has not got the power [to get his property back].
  - E For I say, "[The original owner] sold them to someone else, and this one [lawfully] bought them from that other person."
- **10:4** A This one is coming along with his jar of wine,
  - B and that one is coming along with his jug of honey—
  - C the jug of honey cracked—
  - D and this one poured out his wine and saved the honey in his jar—
  - E he has a claim only for his wages.
  - F And if he said, "I'll save yours if you pay me back for mine,"
  - G [the owner of the honey] is liable to pay him back.
  - H [If] the river swept away his ass and the ass of his fellow,
  - I his being worth a *maneh* and his fellow's worth two hundred [*zuz*] [twice as much],
  - J [if] he then left his own and saved that of his fellow,

- K he has a claim only for his wages.
- L But if he said, "I'll save yours, if you pay me back for mine,"
- M [the owner of the better ass] is liable to pay him back.
- **10:5** A He who stole a field from his fellow,
  - B and bandits seized it from him—
  - C if it is a blow [from which the whole] district [suffered],
  - D he may say to him, "Lo, there is yours before you."
  - E But if it is because [of the deeds] of the thief [in particular],
  - F he is liable to replace it for him with another field.
  - G [If] a river swept it away, he may say to him, "Lo, there is yours before you.
- **10:6** A He who (1) stole something from his fellow, or (2) borrowed something from him, or (3) with whom the latter deposited something,
  - B in a settled area—
  - C may not return it to him in the wilderness.
  - D [If it was] on the stipulation that he was going to go forth to the wilderness,
  - E he may return it to him in the wilderness.
- **10:7** A He who says to his fellow, "I have stolen from you ...,"
  - B "You have lent something to me ...,"
  - C "You have deposited something with me ...,"
  - D "and I don't know whether or not I returned [the object] to you,"
  - E is liable to pay him restitution.
  - F But if he said to him, "I don't know whether I stole something from you,"
  - G "... whether you lent me something,"
  - H "... whether you deposited something with me,"
  - I he is exempt from paying restitution.
- **10:8** A He who steals a lamb from a flock and [unbeknownst to the owner] returned it,
  - B and it died or was stolen again,
  - C is liable to make it up.
  - D [If] the owner did not know either that it had been stolen or that it had been returned, and he counted up the flock and it was complete,
  - E then [the thief] is exempt.
- **10:9** A They do not purchase from herdsmen wool, milk, or kids,
  - B or from watchmen of an orchard wood or fruit.
  - C But they purchase clothing of wool from women in Judah,
  - D flax clothing in Galilee,
  - E and calves in Sharon.
  - F And in all cases in which [the sellers] say to hide them away,
  - G it is prohibited [to make such a purchase].
  - H They purchase eggs and chickens in every locale.
- **10:10** A Shreds of wool which the laundryman pulls out— lo, these belong to him.
  - B And those which the wool comber pulls out—lo, they belong to the householder.
  - C The laundryman pulls out three threads, and they are his.

- D But more than this—lo, they belong to the householder.
- E If they were black [threads] on a white [surface], he takes all, and they are his.
- F A tailor who left over a thread sufficient for sewing,
- G or a piece of cloth three by three fingerbreadths—
- H lo, these belong to the householder.
- I What the carpenter takes off the plane—lo, these are his.
- J But [what he takes off] with a hatchet belongs to the householder.
- K And if he was working in the household of the householder, even the sawdust belongs to the householder.

## **BABA MESIA**

- **1:1** I A Two [in court] lay hold of a cloak—
  - B this one says, "I found it!"—
  - C And that one says, "I found it!"—
  - D This one says, "It's all mine!"—
  - E And that one says, "It's all mine!"—
  - F This one takes an oath that he has no less a share of it than half,
  - G and that one takes an oath that he has no less a share of it than half.
  - H And they divide it up.
  - II I This one says, "It's all mine!"
    - J And that one says, "Half of it is mine!"
    - K The one who says, "It's all mine" takes an oath that he has no less a share of it than three parts.
    - L And the one who says, "Half of it is mine," takes an oath that he has no less a share of it than a fourth part.
    - M This one then takes three shares, and that one takes the fourth.
- **1:2** III A Two were riding on a beast,
  - B or one was riding and one was leading it—
  - C this one says, "It's all mine!"—
  - D and that one says, "It's all mine!"—
  - E this one takes an oath that he has no less a share of it than half,
  - F and that one takes an oath that he has no less a share of it than half.
  - G And they divide it.
  - H But when they concede [that they found it together] or have witnesses to prove it, they divide it without taking an oath.
- **1:3** I A [If] one was riding on a beast and saw a lost object,
  - B and said to his fellow, "Give it to me,"
  - C [but the other] took it and said, "I take possession of it"—
  - D [the latter] has acquired possession of it.
  - II E If after he gave it over [to the one riding on the beast], he said, "I acquired possession of it first,"
    - F he has said nothing whatsoever.

- 1:4 A [If] he saw a lost object and fell on it, and someone else came along and grabbed it,
  - B this one who grabbed it has acquired possession of it.
    - C [If] he saw [people] running after a lost object—
    - D and (1) a deer with a broken leg, (2) pigeons which could not fly,
    - E and he said, "My field has effected possession for me,"
    - F it has effected possession for him.
  - II G [If] (1) the deer was running along normally, or (2) [if] the pigeons were flying,
    - H and he said, "My field has effected possession for me,"
      - I he has said nothing whatsoever.
- **1:5** A (1) Things which are found by his minor son or daughter,
  - B (2) things which are found by his Canaanite slave boy or slave girl,
    - C (3) things found by his wife—
    - D lo, they belong to him.

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- E (1) Things found by his adult son or daughter,
- F (2) things found by his Hebrew slave boy or slave girl,
- G (3) things found by his wife whom he has divorced, even though he has not yet paid off her marriage settlement—
- H lo, they belong to them.
- **1:6** I A [If] one found bonds of indebtedness,
  - B "if they record a lien on [the debtor's] property, he should not return them.
  - C "For a court will exact payment on the strength of them.
  - D "[If] they do not record a lien on property, he should return them,
  - E "for a court will not exact payment on the strength of them," the words of R. Meir.
  - F And sages say, "One way or the other, he should not return them.
  - G "For a court will exact payment on the strength of them."
- **1:7** II A [If] he found (1) writs of divorce for women, (2) writs of emancipation for slaves,
  - (3) wills, (4) deeds of gift, or (5) receipts for the payment of marriage settlements,
    - B lo, he should not return them.
  - C For I maintain that they were written out, but [then] the one [who is answerable] for them changed his mind and decided not to hand them over.
- **1:8** III A [If] one found (1) documents of evaluation, (2) letters of alimony, (3) deeds of *halisah* rites or (4) of the exercise of the right of refusal, (5) deeds of arbitration, or any document which is prepared in a court,
  - B lo, this one should return [them].
  - C [If] he found them [wrapped up] (1) in a satchel or (2) a case,
  - D (3) a bundle of documents, or (4) a package of documents,
  - E lo, this one should return [them].
  - F How many are in a package of documents?
  - G Three tied together.
  - H Rabban Simeon b. Gamaliel, "[If one found a document which involved] a single individual who borrowed from three persons, he should return it to the borrower.
  - I "[But if the document concerned] three borrowers from a single individual, he should return it to the lender."

- J [If] he found a document among those belonging to him, and he does not know what it is,
- K let it lie there until Elijah comes.
- L If [however] there were postscripts along with them, let him act in accord with what is written in the postscripts.
- **2:1** A What lost items are [the finder's], and which ones is he liable to proclaim [in the lost-and-found]?
  - B These lost items are his [the finder's]:
  - C "[if] he found (1) pieces of fruit scattered about, (2) coins scattered about, (3) small sheaves in the public domain, (4) cakes of figs, (5) bakers' loaves, (6) strings of fish, (7) pieces of meat, (8) wool shearings [as they come] from the country [of origin], (9) stalks of flax, or (10) tongues of purple—lo, these are his," the words of R. Meir.
  - D And R. Judah says, "Anything which has an unusual trait is he liable to proclaim.
  - E "How so?
  - F "[If] he found a fig cake with a potsherd inside it, a loaf with coins in it."
  - G R. Simeon b. Eleazar says, "Any new merchandise [lacking an identification mark] he is not liable to proclaim."
- **2:2** A And which ones is he liable to proclaim?
  - B [If] he found (1) pieces of fruit in a utensil or a utensil as is, (2) coins in a purse or a purse as is, (3) piles of fruit, (4) piles of coins, (5) three coins, one on top of the other, (6) small sheaves in private domain, (7) homemade loaves, (8) wool shearings as they come from the craftsman's shop, (9) jars of wine, or (10) jars of oil—
  - C lo, these is he liable to proclaim.
- **2:3** A [If] behind a fence or a hedge one found pigeons tied together,
  - B or on paths in fields,
  - C lo, this one should not touch them.
  - I D [If] he found a utensil in a dung heap,
    - E if it is covered up, he should not touch it.
    - F If it is uncovered, he takes it but must proclaim [that he has found it].
  - II G [If] he found it in a pile of debris or in an old wall, lo, these belong to him.
    - H [If] he found it in a new wall,
      - I if it is located from its midpoint and outward, it is his.
      - J If it is located from its midpoint and inward, it belongs to the householder.
      - K If he had rented [the house] to others,
      - L even [if he found it] in the house,
      - M lo, these are his.
- **2:4** III A [If] he found [utensils] in a store, lo, these are his.
  - B [If a utensil was located] between the counter and the storekeeper, it belongs to the storekeeper.
  - IV C [If he found them] in front of the money changer, lo, they are his.
    - D [If he found them] between the stool [of the money changer] and the money changer, lo, these belong to the money changer.
  - V E He who purchases produce from his fellow,
    - F or sent produce to his fellow,

- G [if] he found coins among the produce, lo, these are his.
- H If there they were bound together, he takes [the money] but proclaims [that he has found it].
- **2:5** A Also a garment was covered among all of these things [which one must proclaim, listed at Dt. 22:2]
  - B [So] why was it singled out?
  - C To use it for an analogy, to tell you:
  - D Just as a garment exhibits distinctive traits, in that it has special marks of identification, and it has someone to claim it,
  - E so for everything which has special marks and which has someone to claim it,
  - F one is liable to make proclamation.
- **2:6** A And for how long is one liable to make proclamation [of having found a lost object]?
  - B "Until his neighbors are informed about it," the words of R. Meir.
  - C R. Judah says, "Until three festivals [have gone by].
  - D "And for seven days after the final festival, so that one may have three days to go home and three days to come back and one day on which to proclaim [that he has lost the object]."
- **2:7** A [If a claimant] has described what he has lost but not specified its special marks, one should not give it to him.
  - B And as to a [known] deceiver, even though he has specified its special marks, one should not give it to him,
  - C as it is said, *Until your brother seeks concerning it* (Dt. 22:2)—
  - D until you will seek out your brother to find out whether or not he is deceiver.
  - E Any sort of thing which is able to perform labor and which eats performs labor and [in exchange is allowed to] eat.
  - F And something which does not perform labor but which [nonetheless has to be] fed is to be sold,
  - G as it is said, You will return it to him (Dt. 22:2).
  - H Pay attention to how to return it to him!
  - I What is the rule covering the proceeds?
  - J R. Tarfon says, "Let [the finder] make use of them. Therefore, if something happens to them, he is liable to make them up."
  - K R. Aqiba says, "He should not make use of them. Therefore, if something happens to them, he is not liable to make them up."
- **2:8** A [If] he found scrolls, he reads in them once every thirty days.
  - B If he does not know how to read, he [at least] unrolls them.
  - C But he should not [commence to] learn [a subject] in them to begin with, nor should someone else read alongside him.
  - D [If] he found a piece of clothing, he should shake it out once every thirty days,
  - E and spread it out as needed—
  - F but not to show off [lit.: *for his own honor*].
  - G Of utensils of silver and of copper one makes use—
  - H for their own good
  - I but not to wear them out.

- J Utensils of gold and of glass he should not touch them until Elijah comes.
- K [If] he found a sack or large basket or anything which he would not usually pick up,
- L to, this one does not [have to lower himself and] pick it up.
- **2:9** A What is lost property?
  - B [If] one found an ass or a cow grazing by the way,
  - C this is not lost property.
  - D [If he found] an ass with its trappings upset,
  - E a cow running in the vineyards,
  - F lo, this is lost property.
  - G [If] one returned it and it ran away, returned it and it ran away,
  - H even four or five times,
  - I he is liable [to continue to] return it,
  - J since it is said, You shall surely bring them back [to your brother] (Dt. 22: 1).
  - K [If] he lost [work] time [to the value of] a *sela*, he may not say to him, "Give me a *sela*."
  - L But he pays him a salary [for his lost time] calculated at the rate paid to an unemployed worker.
  - M If there is a court there, he may stipulate before the court [for compensation for lost time] [cf. M. B.Q. 10:4].
  - N If there is no court there, before whom may he make such a stipulation?
  - O His own [welfare] takes precedence.
- **2:10** A [If he found it loose] in a stable, he is not liable [to return] it.
  - B [If he found it] in the public domain, he is liable to take care of it.
    - C And if it was a graveyard, [and if he was a priest or a Nazirite] he should not contract corpse uncleanness on its account.
    - D If his father said to him, "Contract corpse uncleanness,"
    - E or if [under normal circumstances] he said to him, "Don't return it,"
    - F he should not obey him.
    - G [if] he unloaded it and loaded it up again, unloaded it and loaded it up again,
    - H even four or five times,
    - I he is liable [to continue to do so],
    - J for it is written, You will surely help him (Ex. 23:5).
    - K [If] he went and sat down, and said, "Since the religious duty is yours, if you want to unload it, go unload it,"
    - L the other is exempt [from doing a thing].
    - M For it is written, *With him*.
    - N If the owner was old or sick, he is liable.
    - O It is a religious duty enjoined by the Torah to unload the beast, but not to load it up.
    - P R. Simeon says, "Also: to load it up."
    - Q R. Yose the Galilean says, "If there was on the beast more than its proper load, he is not obligated to [the owner],
    - R "since it is said, Under its burden—
  - S "a burden which it can endure."
- **2:11** I A [If he has to choose between seeking] what he has lost and what his father has lost, his own takes precedence.
  - II C ... what he has lost and what his master has lost,
    - D his own takes precedence.

- III E ... what his father has lost and what his master has lost,
  - F that of his master takes precedence.
  - G For his father brought him into this world.
  - H But his master, who taught him wisdom, will bring him into the life of the world to come.
  - I But if his father is a sage, that of his father takes precedence.
  - J [If] his father and his master were carrying heavy burdens, he removes that of his master, and afterward removes that of his father.
  - K [If] his father and his master were taken captive,
  - L he ransoms his master, and afterward he ransoms his father.
  - M But if his father is a sage, he ransoms his father, and afterward he ransoms his master.
- **3:1** A He who deposits with his fellow a beast or utensils,
  - B and they were stolen or lost,
  - C [if the bailee] made restitution and was unwilling to take an oath—
  - D (for they have said, "An unpaid bailee takes an oath and thereby carries out his obligation [without paying compensation for the loss of the bailment]"—)
  - E [if then] the thief was found,
  - F [the thief] pays twofold restitution.
  - G [If] he had slaughtered or sold the beast, he pays fourfold or fivefold restitution.
  - H To whom does he pay restitution?
  - I To him with whom the bailment was left.
  - J [If the bailee] took an oath and did not want to pay compensation,
  - K [if] the thief was found,
  - L he pays twofold restitution.
  - M [If] he slaughtered or sold the beast, he pays fourfold or fivefold restitution.
  - N To whom does he pay restitution?
  - O To the owner of the bailment.
- **3:2** A He who rents a cow from his fellow, and then lent it to someone else,
  - B and it died of natural causes—
  - C let the one who rented it take an oath that it died of natural causes,
  - D and the one who borrowed it then pays compensation to the one who rented it.
  - E Said R. Yose, "How should this one do business with his fellow's cow?
  - F "But [the funds paid for] the cow are to return to the owner."
- **3:3** I A [If] one said to two people, "I stole a *maneh* [a hundred *zuz*] from one of you and I do not know from which one of you it was."
  - B "The father of one of you deposited a *maneh* with me, and I do not know the father of which one of you it was,"
  - C [he] pays off a *maneh* to this one and a *maneh* to that one,
  - D for he has admitted it on his own.
- **3:4** II A Two who deposited something with one person, this one leaving a *maneh*, and that one leaving two hundred [zuz]—
  - B this one says, "Mine is the deposit of two hundred [*zuz*],"
  - C and that one says, "Mine is the deposit of two hundred [*zuz*]"—

- D he pays off a *maneh* to this one, and a *maneh* to that one,
- E and the rest is left until Elijah comes.
- F Said R. Yose, "If so, what has the deceiver actually lost?
- G "But leave the whole sum until Elijah comes [and no one will be paid off]."
- **3:5** III A And so is the rule for two utensils, one worth a *maneh*, and one worth a thousand zuz—
  - B this one says, "The better one is mine,"
  - C and that one says, "The better one is mine"—
  - D he gives the smaller one to one of them.
  - E And from the [funds received from the sale of] the larger one, he gives the cost of a smaller one to the other party.
  - F And the rest of the money [received for the sale of the larger one] is left until Elijah comes.
  - G Said R. Yose, "If so, what has the deceiver actually lost?
  - H "But leave the whole [sum received for the sale of both utensils] until Elijah comes."
- **3:6** A He who deposits produce with his fellow
  - B even if it is going to go to waste—
  - C [the fellow] should not touch it.
  - D Rabban Simeon b. Gamaliel says, "He sells them in the presence of a court,
  - E "for he is in the position of one who thereby restores what is lost to its rightful owner."
- **3:7** I A He who deposits produce with his fellow—
  - B lo, this one [with whom the bailment is left, when returning it,] may exact [from the owner the following] reductions [due to natural depletion of the produce]:
  - C (1) for wheat and rice, nine *qabs* and a half for a *kor*;
  - D (2) for barley and durra, nine *qabs* to a *kor*;
  - E (3) for spelt and linseed, three *seahs* to a *kor*.
  - F All is relative to the quantity, all is relative to the time [it is left].
  - G Said R. Yohanan b. Nuri, "But what difference does it make to the mice [as to the issue of quantity or time]? Will they not eat [plenty] whether it is from a large volume or a small volume of grain?
  - H "But he may not exact from the owner the stated reductions,
  - I "except from a single *kor* alone."
  - J R. Judah says, "If it was a large volume of produce, he may not exact from the owner the stated reductions,
  - K "for it increases [in bulk as it is stored away]."
- **3:8** II A He exacts [a reduction] of a sixth for wine.
  - B R. Judah says, "A fifth."
  - C He exacts [reduction] of three *logs* of oil per hundred—
  - D a *log* and a half for the sediment, and a *log* and a half for absorption [into the walls of the clay jars].
  - E If it was refined oil, he may not exact a reduction for the sediment.
  - F If the jars were old, he may not exact a reduction for absorption.
  - G R. Judah says, "Also: He who sells refined oil to his fellow through the year—

- H "lo, [the latter] must accept upon himself [agree to] a reduction of a *log* and a half per hundred because of sediment."
- **3:9** A He who deposits a jar with his fellow,
  - B and the owner did not specify a place for it,
  - C and [someone] moved it and it was broken—
  - D if in the midst of his handling it, it was broken,
  - E [and if he moved it to make use of it] for his own needs, he is liable.
  - F [If he moved it] for its needs, he is exempt.
  - G If after he had put it down, it was broken,
  - H whether he had moved it for his own needs or for its needs, he is exempt.
  - I [If] the owner specified a place for it,
  - J and [someone] moved it and it was broken—
  - K whether it was in the midst of his handling it or whether it was after he had put it down,
  - L [if he had moved it] for his own needs, he is liable.
  - M [But if he had moved it] for its needs, he is exempt.
- **3:10** A He who deposits coins with his fellow—
  - B [if the latter] (1) wrapped them up and threw them over his shoulder,
  - C (2) gave them over to his minor son or daughter,
  - D or (3) locked them up in an inadequate way,
  - E he is liable [to make them up if they are lost],
  - F because he did not take care of them the way people usually take care [of things].
  - G But if he did take care of them the way people usually take care of things,
  - H he is exempt.
- **3:11** A He who deposits coins with a money changer—
  - B if they are wrapped up, [the money changer] should not make use of them.
  - C Therefore if they got lost, he is not liable to make them up [as an unpaid bailee (M. 2:7)].
  - D [If they were] loose, he may make use of them.
  - E Therefore if they got lost, he is liable to make them up.
  - F [He who deposits coins] with a householder,
  - G whether they are wrapped up or whether they are loose—
  - H [the householder] should not make use of them.
  - I Therefore if they got lost, he is not liable to make them up.
  - J "The storekeeper is subject to the same rule as the householder," the words of R. Meir.
  - K R. Judah says, "The storekeeper is subject to the same rule as the money changer."
- **3:12** I A He who makes use of a bailment—
  - B The House of Shammai say, "He suffers a disadvantage, whether the value rises or falls.
  - C The House of Hillel say, "[He restores the bailment] as it was at the moment at which he took it out [to use it for his own purposes]."
  - D R. Aqiba says, "[He restores it as it was] at the moment at which it was claimed."
  - II E He who expresses the intention of making use of a bailment
    - F the House of Shammai say, "He is liable [for any damage done to the bailment, as if he had made use of it]."

- G And the House of Hillel say, "He is liable [for damages incurred] only when he will actually make use of the bailment,
- H "since it is said, If he has not put his hand to his neighbor's property (Ex. 22:7)."
- I [Delete:] How so?
- J [If] he tipped over the jug and took a quarter-log of liquid from it, and it broke—
- K he pays only the value of the quarter-*log* he has actually removed.
- L But if he raised it up [so making acquisition of it], and took a quarter-*log* of liquid from it and it broke,
- M he pays the value of the whole jug.
- **4:1** A (1) Gold acquires silver, but silver does not acquire gold.
  - B (2) Copper acquires silver, but silver does not acquire copper.
  - C (3) Bad coins acquire good coins, but good coins do not acquire bad coins.
  - D (4) A coin lacking a mint mark acquires a minted coin, but a minted coin does not acquire a coin lacking a mint mark.
  - E (5) Movable goods acquire coins, but coins do not acquire movable goods.
  - F This is the governing principle: All sorts of movable objects effect acquisition of one another.
- **4:2** A How so?
  - B [If the buyer] had drawn produce into his possession but not yet paid over the coins,
  - C he [nonetheless] cannot retract.
  - D [If] he had paid over the coins but had not yet drawn the produce into his possession, he has the power to retract.
  - E Truly have they said:
  - F He who exacted punishment from the men of the Generation of the Flood and the Generation of the Dispersion is destined to exact punishment from him who does not keep his word.
  - G R. Simeon says, "Whoever has the money in his hand—his hand is on top."
- **4:3** A Fraud [overreaching] is an overcharge of four pieces of silver out of twenty-four pieces of silver to the *sela*
  - B (one-sixth of the purchase price).
  - C For how long is it permitted to retract [in the case of fraud]?
  - D So long as it takes to show [the article] to a merchant or a relative.
  - E R. Tarfon gave instructions in Lud:
  - F "Fraud is an overcharge of eight pieces of silver to a *sela*—
  - G "one-third of the purchase price."
  - H So the merchants of Lud rejoiced.
  - I He said to them, "All day long it is permitted to retract."
  - J They said to him, "Let R. Tarfon leave us where we were."
  - K And they reverted to conduct themselves in accord with the ruling of sages.
- **4:4** A All the same are the buyer and the seller: both are subject to the law of fraud.
  - B Just as fraud applies to an ordinary person, so it applies to a merchant.
  - C R. Judah says, "Fraud does not apply to a merchant."
  - D He who has been subjected [to fraud]—his hand is on top.
  - E [If] he wanted, he says to him, "Return my money."

- F [Or, if he wanted, he says to him,] "Give me back the amount of the fraud."
- **4:5** A How much may a *sela* be defective and [still] not fall under the rule of fraud?
  - B R. Meir says, "Four *issars*, at an *issar* to a *denar*."
    - C R. Judah says, "Four pondions, at a pondion to a denar
    - D R. Simeon says, "Eight pondions, at two pondions to a denar
- **4:6** A How long is it permitted to return [a defective *sela*]?
  - B In large towns, for the length of time it takes to show to a money changer.
  - C And in villages, up to the eve of the Sabbath.
  - D If [the one who gave it] recognizes it, even after twelve months he is to accept it from him.
  - E But [if the one who gave the coin refuses to take it back], he has no valid claim against the other except resentment.
  - F He may give it for produce in the status of second tithe, [for easy transportation to Jerusalem],
  - G and need not scruple,
  - H for it is only churlishness [to refuse a slightly depreciated coin].
- **4:7** A Defrauding involves [an overcharge of] four pieces of silver [for what one has bought for a *sela*].
  - B And a claim [involving a court-imposed oath] must be [for a claim of at least] two silver [*maahs*].
  - C An admission [as at M. 1:1] must be for at least what is worth a *perutah*.
  - D There are five [kinds of rules involving] that which is worth a *perutah*:
  - E (1) An admission must be for at least what is worth a *perutah*.
  - F (2) A woman is betrothed for that which is worth a *perutah*.
  - G (3) He who derives use to the value of a *perutah* from that which belongs to the sanctuary has committed sacrilege.
  - H (4) He who finds that which is worth a *perutah* is liable to make proclamation.
  - I (5) He who steals from his fellow something to the value of a *perutah* and takes [a false] oath to the contrary [and then confesses his crime] must bring it after him, even to Media [M. B.Q. 9:5].
- **4:8** A There are five instances in which an added fifth applies:
  - B (1) He who eats (1) heave offering, (2) heave offering of tithe, (3) heave offering of tithe taken from doubtfully tithed produce, (4) dough offering, and (5) first fruits,
  - C adds a fifth [to the value of the principal, when he makes restitution].
  - D (2) He who redeems [pays coins to bring to Jerusalem in place of] produce deriving from a fourth-year planting or from his second tithe adds a fifth.
  - E (3) He who redeems that which he has consecrated adds a fifth.
  - F (4) He who derives benefit to the extent of a *perutah* from that which has been consecrated [when he makes restitution] adds a fifth.
  - G (5) He who steals from his fellow that which is worth a *perutah* and takes a [false] oath to him [when he wishes to confess and effect restitution] adds a fifth.
- 4:9 A These are matters which are not subject to a claim of fraud [on account of overcharge]:
  B (1) slaves, (2) bills of indebtedness [which are discounted and sold], (3) real estate, and (4) that which has been consecrated.

- C They are not subject to twofold restitution,
- D nor [in the case of a consecrated ox or sheep] to fourfold or fivefold restitution.
- E An unpaid bailee is not required to take an oath [on their account, that he has not inflicted damage].
- F And a paid bailee does not have to pay compensation [on their account, if they are stolen or lost].
- G R. Simeon says, "Holy Things for which one is liable for replacement [should they be lost] are subject to a claim of fraud on account of overcharge.
- H "Holy Things for which one is not liable for replacement [should they be lost] are not subject to a claim of fraud on account of overcharge" [cf. M. B.Q. 7:4].
- I R. Judah says, "Also: He who sells a scroll of the Torah, a beast, or a pearl—
- J "they are not subject to a claim of fraud by reason of overcharge."
- K They said to him, "They have specified only these [of B]."
- **4:10** A Just as a claim of fraud applies to buying and selling
  - B so a claim of fraud applies to spoken words.
  - I C One may not say to [a storekeeper], "How much is this object?" knowing that he does not want to buy it.
  - II D If there was a penitent, one may not say to him, "Remember what you used to do!"
  - III E If he was a child of proselytes, one may not say to him, "Remember what your folks used to do!"
    - F For it is said, And a proselyte you shall not wrong nor oppress (Ex. 22:20).
- **4:11** A They do not commingle one sort of produce with another sort of produce,
  - B even new and new [produce, plucked in the same growing season],
  - C and it goes without saying, new with old.
  - D To be sure, in the case of wine they have permitted commingling strong with weak,
  - E because it improves it.
  - F They do not commingle the lees of wine with wine.
  - G But one may hand over [to a purchaser] the lees [of the wine he is buying].
  - H He whose wine got mixed with water may not sell it in a store,
  - I unless he informs [the purchaser],
  - J nor to a merchant,
  - K even though he informs him.
  - L For [the latter buys it] only to deceive others thereby.
  - M In a place in which it is the custom to put water in wine,
  - N one may dilute it.
- **4:12** A A merchant purchases grain from five threshing floors and puts it [all] into one storage bin,
  - B [wine] from five winepresses and puts it into a single storage jar—
  - C on condition that he not intend to commingle [wine of diverse quality for the purpose of fraud].
  - D R. Judah says, "A storekeeper should not hand out parched corn and nuts to little children, because in that way he makes it their habit [to buy from] him."
  - E But sages permit.
  - F And he should not cut the prevailing price.
  - G But sages say, "[If he does so], his memory will be blessed."
  - H "He should not sift crushed beans," the words of Abba Saul.
  - I And sages permit.

- J But they concede that he should not sift them [solely] at the entry of the storage bin,
- K for he would do so only to create a false picture [of the quality of what is in the bin].
- L They do not beautify [what they sell]—either man, beast, or utensils.
- **5:1** I A What is interest, and what is increase [which is tantamount to taking interest]?
  - B What is interest?
  - C He who lends a *sela* [which is four *denars*] for [a return of] five *denars*,
  - D two *seahs* of wheat for [a return of] three—
  - E because he bites [off too much].
  - F And what is increase?
  - G He who increases [profits] [in commerce] in kind.
  - H How so?
  - I [If] one purchases from another wheat at a price of a golden *denar* [25 *denars*] for a *kor*, which [was then] the prevailing price, and [then wheat] went up to thirty *denars*.
  - J [If] he said to him, "Give me my wheat, for I want to sell it and buy wine with the proceeds"—
  - K [and] he said to him, "Lo, your wheat is reckoned against me for thirty *denars*, and lo, you have [a claim of] wine on me"—
  - L but he has no wine.
- **5:2** A He who lends money to his fellow should not live in his courtyard for free.
  - B Nor should he rent [a place] from him for less [than the prevailing rate],
  - C for that is [tantamount to] usury.
  - D One may effect an increase in the rent charge [not paid in advance], but not the purchase price [not paid in advance].
  - E How so?
  - F [If] one rented his courtyard to him and said to him, "If you pay me now [in advance], lo, it's yours for ten *selas* a year,
  - G "but if [you pay me] by the month, it's a *sela* a month"—
  - H it is permitted.
  - I [But if] he sold his field to him and said to him, "If you pay me the entire sum now, lo, it's yours for a thousand *zuz*.
  - J "But if you pay me at the time of the harvest, it's twelve *maneh* [1,200 *zuz*],"—
  - K it is forbidden.
- **5:3** A [If] one sold him a field, and [the other] paid him part of the price,
  - B and [the vendor] said to him, "Whenever you want, bring me the rest of the money, and [then] take yours [the field]"—
    - C it is forbidden.
    - D [If] one lent him money on the security of his field and said to him, "if you do not pay me by this date three years hence, lo, it is mine"—
    - E lo, it is his.
    - F And thus did Boethus b. Zonin do, on instruction of sages.
- **5:4** A They do not set up a storekeeper for half the profit,
  - B nor may one give him money to purchase merchandise [for sale] at [the return of the capital plus] half the profit,

- C unless one [in addition] pays him a wage as a worker.
- D They do not set the hens [of another person to hatch one's own eggs] in exchange for half the profit,
- E and they do not assess [and commission another person to rear] calves or foals for half the profit,
- F unless one pays him a salary for his labor and his upkeep.
- G But [without fixed assessment] they accept calves or foals [for rearing] for half the profits,
- H and they raise them until they are a third grown—
- I and as to an ass, until it can carry [a burden], [at which point profits are shared].
- 5:5 A They assess [and put out for rearing] a cow, an ass, or anything which works for its keep, for half the profits.
  - C In a locale in which they are accustomed to divide up the offspring forth—with, they divide it forthwith.
  - D In a place in which they are accustomed to raise the offspring, they raise it.
  - E Rabban Simeon b. Gamaliel says, "They assess [and put out] a calf with its dam, a foal with its dam."
  - F (And) one may pay increased rent [in exchange for a loan for the improve-ment of] one's field,
  - G and one need not scruple by reason of interest.
- **5:6** A They do not accept from an Israelite a flock on 'iron terms' [that the one who tends the flock shares the proceeds of the flock but restores the full value of the flock as it was when it was handed over to him],
  - B because this is interest.
  - C But they do accept a flock on 'iron terms' from gentiles.
  - D And they borrow from them and lend to them on terms of interest.
  - E And so is the rule for the resident alien.
  - F An Israelite may lend out the capital of a gentile on the say-so of the gentile,
  - G but not on the say-so of an Israelite. [If the gentile had borrowed money from an Israelite, one may not lend it out on interest with the Israelite's knowledge and consent.]
- **5:7** A They do not strike a bargain for the price of produce before the market price is announced.
  - B [Once] the market price is announced, they strike a bargain,
  - C for even though this one does not have [the produce for delivery], another one will have it.
  - D [If] one was the first among the reapers [of a given crop], he may strike a bargain with him
  - E for (1) grain [already] stacked [on the threshing floor],
  - F or for (2) a basket of grapes,
  - G or for (3) a vat of olives,
  - H or for (4) the clay balls of a potter,
  - I or for (5) lime as soon as the limestone has sunk in the kiln.
  - J And one strikes a bargain for the price of manure every day of the year.
  - K R. Yose says, "They do not strike a bargain for manure before the manure is on the dung heap."
  - L And sages permit.
  - M And one may strike a price at the height [of the market, the cheapest rate prevailing at the time of delivery].

- N R. Judah says, "Even though one has not made a bargain at the cheapest rate [prevailing at the time of delivery], one may say to him, 'Give it to me at such-and-such a rate, or give me back my money.' "
- **5:8** A Man may lend his tenant farmers wheat [to be repaid in] wheat, [If] it is for seed,
  - B but not [if it is] for food,
  - C For Rabban Gamaliel would lend his tenant farmers wheat [to be repaid in] wheat [when it was used] for seed.
  - D [If one lent the wheat when the price was] high and [wheat] became cheap,
  - E [or if he lent the wheat when the price was] cheap and [wheat] became expensive,
  - F he collects from them at the cheapest price,
  - G not because that is what the law requires,
  - H but because he wished to impose a strict rule upon himself.
- **5:9** A A man should not say to his fellow, "Lend me a *kor* of wheat, and I'll pay you back at [a *kor* of wheat] at threshing time."
  - B But he says to him, "Lend it to me until my son comes [bringing me wheat],"
  - C or, "... until I find the key."
  - D Hillel prohibits [even this procedure].
  - E And so does Hillel say, "A woman should not lend a loaf of bread to her girl friend unless she states its value in money.
  - F "For the price of wheat may go up, and the two women will turn out to be involved in a transaction of usury."
- **5:10** A Man [may] say to his fellow, "Weed with me, and I'll weed with you,"
  - B "Hoe with me, and I'll hoe with you."
  - C But he [may] not say to him, "Weed with me, and I'll hoe with you,"
  - D "Hoe with me, and I'll weed with you."
  - E All the days of the dry season are deemed equivalent to one another.
  - F All the days of the rainy season are deemed equivalent to one another.
  - G One should not say to him, "Plough with me in the dry season, and I'll plough with you in the rainy season."
  - H Rabban Gamaliel says, "There is usury paid in advance, and there is usury paid at the end.I "How so?
  - J "[If] one wanted to take a loan from someone and so sent him [a present] and said, 'This is so that you'll make a loan to me,'—
  - K "this is usury paid in advance.
  - L "[If] one took a loan from someone and paid him back the money and [then] sent [a gift] to him and said, 'This is for your money, which was useless [to you] when it was in my hands'—
  - M "this is usury paid afterward."
  - N R. Simeon says, "There is usury paid in words.
  - O "One may not say to him, 'You should know that so-and-so from such-and-such a place is on his way.' "
- **5:11** A These [who participate in a loan on interest] violate a negative command —ment:
  - B (1) the lender, (2) borrower, (3) guarantor, and (4) witnesses.
  - C Sages say, "Also (5) the scribe."

- D (1) They violate the negative commandment, *You will not give [him] your money upon usury* (Lev. 25:37).
- E (2) And [they violate the negative command], *You will not take usury from him* (Lev. 25:36).
- F (3) And [they violate the negative command], *You shall not be a creditor to him* (Ex. 22:25).
- G (4) And [they violate the negative command], *Nor shall you lay upon him usury* (Ex. 22:25).
- H (5) And they violate the negative command, *You shall not put a stumbling block before the blind, but you shall fear your God. I am the Lord* (Lev. 19:14).
- **6:1** A He who hires craftsmen,
  - B and one party deceived the other—
  - C one has no claim on the other party except a complaint [which is not subject to legal recourse].
  - D [If] one hired an ass driver or wagon driver to bring porters and pipes for a bride or a corpse,
  - E or workers to take his flax out of the steep,
  - F or anything which goes to waste [if there is a delay],
  - G and [the workers] went back on their word—
  - H in a situation in which there is no one else [available for hire],
  - I he hires others at their expense,
  - J or he deceives them [by promising to pay more and then not paying up more than his originally stipulated commitment].
- **6:2** I A He who hires craftsmen and they retracted—
  - B their hand is on the bottom.
  - II C If the householder retracts,
  - D his hand is on the bottom.
  - I E Whoever changes [the original terms of the agreement]—
  - F his hand is on the bottom.
  - II G And whoever retracts—
  - H his hand is on the bottom.
- **6:3** I A He who rents out an ass to drive it through hill country but drove it through a valley,
  - B to drive it through a valley but drove it through the hill country,
  - C even though this route is ten *mils* and that route is ten *mils*,
  - D and [the ass] died—
  - E [the one who rented it is] liable.
  - II F He who rents out an ass, and it went blind or was seized for royal service—
    - G [the one who provided it has the right to] say to [the one who rented it], "Here's yours right before you" [and he need not replace it for the stated period].
      - H [If] it died or broke a leg,
      - I [the one who provided it out] is liable to provide him with another ass.
  - III J He who rents out an ass to drive it through hill country, but he drove it through a valley.
    - K if it slipped, is exempt.
    - L But if it suffered heat prostration, he is liable.

- M [If he hired it out] to drive it through a valley, but he drove it through hill country,
- N if it slipped, he is liable.
- O And if it suffered heat prostration, he is exempt.
- P But if it was on account of the elevation, he is liable.
- **6:4** I A He who hires a cow to plough in the hill country but ploughed in the valley,
  - B if the ploughshare was broken,
  - C is exempt.
  - D [If he hired the cow to plough] in the valley and ploughed in the hill country,
  - E if the ploughshare was broken,
  - F he is liable.
  - II G [If he hired a cow to] thresh pulse and he threshed grain,
    - H [if the cow slipped and fell],
    - I he is exempt.
    - J [If he hired it] to thresh grain and he threshed pulse,
    - K [if the cow slipped and fell],
    - L he is liable,
    - M because pulse is slippery.

## **6:5** III A He who hired an ass to carry wheat on it and he carried barley on it

- B is liable.
- C [If he hired it to carry] wheat and carried straw on it,
- D he is liable,
- E since the [greater] bulk is hard to carry.
- IV F [If he hired it] to carry a *letekh* of wheat and it carried a *letekh of* barley, he is exempt.
  - G But if he added to its burden, he is liable.
  - H And how much does he add to its burden so as to be liable?
  - I Sumkhos says in the name of R. Meir, "A *seah* for a camel, and three *qabs* for an ass."
- **6:6** A All craftsmen are in the status of paid bailees.
  - B But any of them who said, "Take what is yours and pay me off [because the job is done]" [enters the status of] an unpaid bailee.
  - C [If one person said to another], "You keep watch for me, and I'll keep watch for you," [both are] in the status of a paid bailee.
  - D "Keep watch for me,"
  - E and the other said to him, "Leave it down before me,"
  - F [the latter] is [in the status of] unpaid bailee.
- **6:7** A [If one made] a loan and took a pledge, he is in the status [as to the pledge] of a paid bailee.
  - B R. Judah says, "[If] he lent him money, he is in the status of an unpaid bailee.
  - C "[If] he lent him produce, he is in the status of a paid bailee."
  - D Abba Saul says, "It is permitted for a person to put out on hire a pledge left by a poor man,
  - E "and so reduce [the debt] on its account little by little,
  - F "for he is like one who gives back what someone has lost."

- **6:8** A [The bailee] who moves a jar from one place to another and broke it,
  - B whether he is an unpaid bailee or a paid bailee,
    - C must take an oath [that the jar was broken by accident and not through his willful negligence, and so he is exempt from having to make it up].
    - D R. Eliezer says, "In either case he is to take an oath.
    - E "But I wonder whether either this one or that one can in fact take a [valid] oath."
- 7:1 A He who hires [day] workers and told them to start work early or to stay late—
  - B in a place in which they are accustomed not to start work early or not to stay late,
    - C he has no right to force them to do so.
    - D In a place in which they are accustomed to provide a meal, he must provide meal.
    - E [In a place in which they are accustomed] to make do with a sweet,
    - F he provides it.
    - G Everything accords with the practice of the province.
    - H *M'SH B*: R. Yohanan b. Matya said to his son, "Go, hire workers for us."
    - I He went and made an agreement with them for food [without further specification].
    - J Now when he came to his father, [the father] said to him, "My son, even if you should make for them a meal like one of Solomon in his day, you will not have carried out your obligation to them.
    - K "For they are children of Abraham, Isaac, and Jacob.
    - L "But before they begin work, go and tell them, '[Work for us] on condition that you have a claim on me [as to food] only for a piece of bread and pulse alone.' "
    - M Rabban Simeon b. Gamaliel says, "He had no need to specify that in so many words.
    - N "Everything [in any case] accords with the practice of the province."
- **7:2** A And these [have the right to] eat [the produce on which they work] by [right accorded to them in] the Torah:
  - B he who works on what is as yet unplucked [may eat from the produce] at the end of the time of processing;
  - C [and he who works] on plucked produce [may eat from the produce] before processing is done;
  - D [in both instances solely] in regard to what grows from the ground.
  - E But these do not [have the right to] eat [the produce on which they labor] by [right accorded to them in] the Torah:
  - F he who works on what is as yet unplucked, before the end of the time of processing;
  - G [and he who works] on plucked produce after the processing is done,
  - H [in both instances solely] in regard to what does not grow from the ground.
- **7:3** A [If] one was working with his hands but not with his feet,
  - B with his feet but not with his hands,
  - C even [carrying] with his shoulder,
  - D to, he [has the right to] eat [the produce on which he is working].
  - E R. Yose b. R. Judah says, "[He may eat the produce on which he is working] only if he works with both his hands and his feet."
- 7:4 A [If the laborer] was working on figs, he [has] not [got the right to] eat grapes.
  - B [If he was working] on grapes, he [has] not [got the right to] eat figs.

- C But [he does have the right to] refrain [from eating] until he gets to the best produce and then [to exercise his right to] eat.
- D And in all instances they have said [that he may eat from the produce on which he is laboring] only in the time of work.
- E But on grounds of restoring lost property to the owner, they have said [in addition]:
- F Workers [have the right to] eat as they go from furrow to furrow [even though they do not then work],
- G and when they are coming back from the press [so saving time for the employer];
- H and in the case of an ass [nibbling on straw in its load], when it is being unloaded.
- 7:5 A A worker [has the right to] eat cucumbers, even to a *denar*'s worth,
  - B or dates, even to a *denar*'s worth.
  - C R. Eleazar Hisma says, "A worker should not eat more than the value of his wages."
  - D But sages permit.
  - E But they instruct the man not to be a glutton and thereby slam the door in his own face [to future employment].
- **7:6** A A man makes a deal [with the householder not to exercise his right to eat produce on which he is working] in behalf of himself, his adult son, or daughter,
  - B in behalf of his adult manservant or womanservant,
  - C in behalf of his wife,
  - D because [they can exercise] sound judgment [and keep the terms of the agreement].
  - E But he may not make a deal in behalf of his minor son or daughter,
  - F in behalf of his minor boy servant or girl servant,
  - G or in behalf of his beast,
  - H because [they can] not [exercise] sound judgment [and keep the terms of the agreement].
- **7:7** A He who hires workers to work in his fourth-year plantings [the produce of which is to be eaten not at random but only in Jerusalem or to be redeemed for money to be brought up to Jerusalem (Lev. 19–(24)]
  - B lo, these do not [have the right to] eat.
  - C If [in advance] he did not inform them [of the character of the produce and the prohibitions affecting it], he [has to] redeem the produce and [permit them to] eat [of it].
  - D [If] his fig cakes split up,
  - E his jars [of wine] burst open [while yet untitled, and workers are hired to repress the figs and rebottle the wine],
  - F lo, these do not [have the right to] eat [them].
  - G If he did not inform them [that the produce on which they would be working was untithed and therefore not available for their random consumption],
  - H he has to tithe [the produce] and [allow them to] eat [of it].
- 7:8 A Those who keep watch over produce [have the right to] eat [it] by the laws of the province,
  - B but not by [what is commanded in] the Torah.
    - C There are four kinds of watchmen:
    - D (1) an unpaid bailee,
    - E (2) a borrower,
    - F (3) a paid bailee,
    - G (4) and a hirer.

- Η (1) [In the case of damage to the bailment], an unpaid bailee takes an oath in all [cases of loss or damage and bears no liability whatsoever] [M.3:1].
- (2) The borrower pays in all circumstances [of damages to a bailment]. Ι
- J (3), (4)The paid bailee and the hirer take an oath [that they have not been negligent]
- Κ concerning [a beast which has suffered] a broken bone, or which has been driven away, or which has died [Ex. 22:9].
- But they pay compensation for the one which was lost or stolen. L
- 7:9 Ι Α A single wolf does not count as an unavoidable accident.
  - Two wolves are regarded as an unavoidable accident. В
  - С R. Judah says, "In a time that wolves come in packs, even a single wolf is an unavoidable accident."
  - Two dogs do not count as an unavoidable accident. Π D
    - Yadua the Babylonian says in the name of R. Meir, "[If] they come from one E direction, they do not count as an unavoidable accident.
      - F "If they come from two directions, they count as an unavoidable accident."
  - G A thug—lo, he counts as an unavoidable accident. Ш
  - IV Η (1) A lion, (2) wolf, (3) leopard, (4) panther, or (5) snake—lo, these count as an unavoidable accident.
    - Ι Under what circumstances?
    - J When they come along on their own.
    - Κ But if he took [the sheep] to a place in which there were bands of wild animals or thugs,
    - L these do not constitute unavoidable accidents.
- 7:10 Ι [If a beast] died of natural causes, lo, this counts as an unavoidable accident. А
  - В [If] one caused it distress and it died [e.g., of cold or hunger], this does not count as an unavoidable accident. Π
    - С [If] it went up to the top of a crag and fell down, lo, this is an unavoidable accident.
      - [If] he brought it up to the top of a crag and it fell down and died, D
        - E it is not an unavoidable accident.
      - F An unpaid bailee may stipulate that he is exempt from [having to take] an oath,
      - G and a borrower, that he is exempt from having to pay compensation,
      - Η and a paid bailee and a hirer, that they are exempt from [having to take] an oath or from having to pay compensation.
- 7:11 I А Whoever exacts a stipulation contrary to what is written in the Torah —his stipulation is null.
  - В And any stipulation which requires an antecedent action—that stipulation is null. Π
  - С But any condition which can be carried out in the end and is stipulated as a III condition in the beginning
    - that stipulation is valid. D
- 8:1 He who borrows a cow, А
  - and (1) borrowed [the service] of its owner with it, В
  - С or (2) hired its owner with it—
  - D [or] (1) borrowed [the service] of the owner,
  - Е or (2) hired him,

- F and afterward borrowed the cow [too],
- G and [the cow] died—
- H [the borrower] is exempt,
- I since it is said, *If the owner is with it, he shall not pay compensation* (Ex. 22:14).
- J But [if] he borrowed the cow,
- K and afterward (1) borrowed [the service] of the owner,
- L or (2) hired him,
- M and [the cow] died,
- N [the borrower] is liable,
- O since it is said, *If the owner is not with it, he shall certainly pay compensation* (Ex. 22:13).
- 8:2 A He who borrows a cow—
  - B [if] he borrowed it for half a day and hired it for half a day,
  - C [or] borrowed it for one day and hired it for the next day,
  - D [or] borrowed one [cow] and hired another—
  - E and [the cow] died—
  - I F the lender says [D], (1) "The borrowed one died"—
    - G (2) "On the day [C] on which it was borrowed, it died,"
    - H (3) "At the time [B] that it was borrowed, it died,"—
    - I and the [borrower] says, "I don't know"—
    - J [the borrower] is liable.
  - II K The hirer says, (1) "The hired one died,"
    - L (2) "On the day on which it was hired, it died,"
    - M (3) "at the time that it was hired, it died,"
    - N and the other party says, "I don't know"—
    - O [the hirer] is exempt.
  - III P [If] this party claims that the borrowed one [died],
    - Q and that party claims that the hired one [died],
      - R the one who rents it is to take an oath that the rented one died.
      - S [If] this one says, "I don't know," and that one says, "I don't know,"
      - T let them divide [the loss].

## **8:3** A He who borrowed a cow,

- I B and [the one who lent it out] sent it along with his son, slave, or messenger,
  - C or with the son, slave, or messenger of the borrower—
    - D and it died—
    - E [the borrower] is exempt.
- II F If the borrower had said to him, "Send it with my son," " my slave," "... my messenger,"
  - G or "... with your son," "... with your slave," "... with your messenger,
- III H or if the lender had said to him, "Lo, I'm sending it to you with my son," "my ... slave," "my ... messenger,"
  - I or " ... with your son," " ... your slave," "... your messenger,"
  - J and the borrower said, "Send it along,"
  - K and he did send it along, but it died,
  - L [the borrower] is liable.
  - M And so is the rule as to returning the beast.

## **8:4** I A He who exchanges a cow for an ass,

- В and [the cow] produced offspring,
- С and so, too: he who sells his girl slave and she gave birth-
- this one says, "It was before I made the sale," D
- Е and that one says, "It was after I made the purchase"-
- let them divide the proceeds. F

Π

Π

- G [If] he had two slaves, one big and one little,
  - or two fields, one big and one little-Η
  - the purchaser says, "I bought the big one," Ι
  - and the other one says, "I don't know"-J
  - Κ [the purchaser] has acquired the big [slave].
- The seller says, "I sold the little one," Ш L
  - and the other says, "I don't know"-Μ
    - [the latter] has a claim only on the little one. Ν
- This one says, "The big one," IV Ο
  - and that one says, "The little one"-Р
  - let the seller take an oath that it was the little one which he had sold. Q
- This one says, "I don't know," V R
  - S and that one says, "I don't know"-
    - Т let them divide up [the difference].
- 8:5 Ι А He who sells olive trees for firewood and [before they had been chopped down], they produced fruit which yielded less than a quarter-[log] of olive oil to a seah
  - lo, this belongs to the owner of the olive trees [not to the owner of the land, who В sold only the trees, not the ground].
  - С [If] they produced a quarter-[*log*] of oil for a *seah*,
    - this one says, "My olive trees made it," D
      - and that one says, "My ground made it"-E
    - F let them divide it up.
  - [If] the river overflowed one's olive trees and set them down in the field of his Ш G fellow [where they bore fruit],
    - this one says, "My olive trees made it," Η
    - and that one says, "My ground made it" Ι
    - J Let them divide it up.
- 8:6 Ι А He who rents a house to his fellow [without a lease]—
  - В in the rainy season, he has not got the right to evict him, from the Festival to Passover.
    - С And in the dry season, [he may evict him if he gives] thirty days' [notice].
  - And in the case of large towns, Π D
    - all the same are the dry season and the rainy season, E
      - [he must give notice of] twelve months. F
  - III G And in the case of stores,
    - Η all the same are small towns and large cities,
    - Ι [he must give notice of] twelve months.
    - Rabban Simeon b. Gamaliel says, "In the case of a store rented to bakers or dyers, J [he must give notice of] three years."
- 8:7 He who rents out a house to his fellow— А
  - he who rents it out is liable [to provide] (1) a door, (2) bolt, and (3) lock, В

- C and anything which is made by a craftsman.
- D But as to anything which is not made by a craftsman,
- E the one who rents the house makes it [for himself].
- F Manure [left in a rented courtyard by cattle belonging to a third party] is assigned to the householder.
- G The renter has a claim only on the refuse of an oven or stove alone.
- 8:8 A He who rents out a house to his fellow for a year—
  - B [if] the year was intercalated [and received an extra month of Adar],
  - C it is intercalated to the advantage of the tenant.
  - D [If] he rented it to him by the month,
  - E [if] the year was intercalated,
  - F it is intercalated to the advantage of the landlord.
  - G *M'SH B*: In Sepphoris a person hired a bathhouse from his fellow for twelve golden [*denars*] per year, at the rate of one golden *denar* per month [and the year was intercalated].
  - H The case came before Rabban Simeon b. Gamaliel and before R. Yose.
  - I They ruled, "Let them divide the month added by the intercalation of the year."
- **8:9** A He who rents out a house to his fellow,
  - B and [the house] fell down,
  - C is liable to provide him with [another] house.
  - D [If] it was a small house, he may not make it large.
  - E [If] it was a large house, he may not make it small.
  - F [If] it was a single-family dwelling, he may not make it a duplex.
  - G [If] it was a duplex, he may not make it a single-family dwelling.
  - H He may not provide fewer windows [than had been in the house which fell down] nor more windows,
  - I except with the concurrence of both parties.
- 9:1 I A He who leases a field from his fellow [as tenant farmer or sharecropper],
  - B in a place in which they are accustomed to cut [the crops], he must cut them.
  - C [If the custom is] to uproot [the crops], he must uproot them.
  - D [If the custom is] to plough after [reaping and so to turn the soil], he must plough.
  - E All is in accord with the prevailing custom of the province.
  - F Just as they split up the grain, so they split up the straw and stubble.
  - G Just as they split up the wine, so they split up the [dead] branches and reed props.
  - H And both [parties to the agreement] must provide reed props.
- **9:2** II A He who leases a field from his fellow,
  - B which is an irrigated field,
  - C or an orchard field—
  - D [if] the water source went dry,
  - E or the trees were cut down,
  - F [the tenant] may not deduct [the damages] from the rental.
  - G If he had said to him, "Lease me this irrigated field," or "... this orchard field,"
  - H and the water source went dry,
  - I or the trees were cut down,

		J	[the tenant] may deduct [the damages] from the rental.
9:3	III	A	He who [as a sharecropper] leases a field from his fellow and then let it lie fallow—
		B	they make an estimate of how much [the field] is suitable to produce,
		C D	[and the tenant] pays [that amount] to [the landlord].
		E	For thus does he write to him [in the writ of occupancy or lease], "If I let the field lie fallow and do not work it, I shall make it up to you at its
		L	highest rate of yield."
9:4	IV	А	He who leases a field from his fellow and did not want to weed it,
		В	and said [to the landlord], "What difference does it make to you? I'm going to give you the rental anyhow!"—
		С	they pay no attention to [his claim].
		D	For the [landlord] has the right to say to him, "Tomorrow you're going to leave this field, and it's going to give me nothing but weeds!"
9:5	V	А	He who leases a field from his fellow,
		B	and it did not produce [a crop],
		C	if there was in it [nonetheless sufficient growth] to produce a heap [of grain],
		D E	[the lessee] is liable to tend it. Said R. Judah, "What sort of measure is 'a heap'?
		F	"But: if [the field yields only] so much [grain as had been] sown [there, for
		1	reseeding next year, he is liable to tend it]—,'
9:6	VI	А	He who leases a field from his fellow,
		В	and locusts ate it up,
		C	or it was blighted—
		D	if it is a disaster affecting the entire province,
		E F	he may deduct [the damages] from his rental.
		г G	If it is not a disaster affecting the entire province, he may not deduct it from his rental.
		H	R. Judah says, "If he had leased it for a [fixed] cash payment, whether or not [it
			was a disaster affecting the entire province] he may not deduct [the damages] from his rental.
9:7	VII	А	He who leases a field from his fellow
		В	[in return] for ten <i>kors</i> of wheat a year,
		С	[if the field was] smitten [and produced poor-quality grain],
		D	[the tenant] pays him off [from produce grown] in [the field].
		E	[If] the grain which it produced was of good quality,
		F	he [has] not [got the right to] say to him, "Lo, I'm going to buy [you grain] in the marketplace."
		G	But he pays him off [with produce grown] in [the field].
9:8	VIII	A	He who leases a field from his fellow
		B	to sow barley in it
		C	may not sow it with wheat.
		D	[If he leased it to sow] wheat,

- E he may sow it with barley.
- F Rabban Simeon b. Gamaliel prohibits [doing so].
- G [If he leased it to sow] grain he may not sow it with pulse,
- H [to sow] pulse, he may sow it with grain.
- I Rabban Simeon b. Gamaliel prohibits [doing so].
- **9:9** IX A He who leases a field from his fellow
  - B for a period of only a few years
  - C may not sow it with flax.
  - D And he has no [right] to [cut] beams from a sycamore.
  - E [If] he leased it from him for seven years,
  - F in the first year he may sow it with flax.
  - G And he has [every right] to [cut] beams from a sycamore.
- **9:10** X A He who leases a field from his fellow
  - B for one septannate
  - C at the rate of seven hundred *zuz*—
  - D the Seventh Year counts [in the] number [of years].
  - E [If] he leased it from him for seven years at the rate of seven hundred *zuz*,
  - F the Seventh Year does not count [in the] number [of years].
- **9:11** A (1) A day worker collects his wage any time of the night.
  - B (2) And a night worker collects his wage any time of the day.
  - C (3) A worker by the hour collects his wage any time of the night or day.
  - D A worker hired by the week, a worker hired by the month, a worker hired by the year, a worker hired by the septannate—
  - E [If] he completed [his period of labor] by day, collects any time that day.
  - F [If] he completed his period of labor by night,
  - G he collects his wage any time during the rest of that night and the following day.
  - A All the same are a fee to be paid to a human being, a fee to be paid for use of a beast, and a fee to be paid for the rental of utensils:
    - B [each is] subject to the rule, *In his day you shall give him his fee* (Dt. 24:15).
    - C [each is] subject to the rule, *The wages of a hired worker will not abide with you all night until the morning* (Lev. 19:13).
    - D Under what circumstances?
    - E When [the worker] has laid claim [on his wages].
    - F [If] he did not lay claim [on his wages], [the employer] does not transgress [the biblical requirement].
    - G [If the employer] gave him a draft on a storekeeper or money changer,
    - H [the employer] does not transgress [the biblical requirement].
    - I An employee

- J [if he claimed his salary] within the stated time
- K takes an oath [that he has not been paid] and collects his salary.
- II L [If] the stated time has passed [and he did not collect his salary],
- M he does not take an oath and collect his salary.
- III N But if there are witnesses that he had [in fact] laid claim [for his salary],
  - O lo, this one takes an oath and collects his salary.

- P A resident alien is subject to the rule, *In his day you shall give him his fee* (Dt. 24:15) [since Dt. 24:14 refers to the alien].
- Q But he is not subject to the rule, *The wages of a hired worker will not abide with you all night until morning*.
- 9:13 A He who lends money to his fellow should exact a pledge from him only in court.
  - B And [the agent of the court] should not go into his house to take his pledge,
  - C as it is said, You will stand outside (Dt. 24:11).
  - D [If the borrower] had two utensils, [the lender] takes one and leaves one.
  - E And he returns [his] pillow by night, and plough by day.
  - F But if [the debtor] died, [the creditor] does not return [the objects] to the estate.
  - G Rabban Simeon b. Gamaliel says, "Even to [the borrower] himself he returns [the object] only for thirty days.
  - H "After thirty days [have passed], he may sell [the objects], with the permission of the court."
  - I From a widow, whether poor or rich, they do not take a pledge,
  - J since it is said, You will not take a widow's garment as a pledge (Dt. 24:17).
  - K He who seizes millstones transgresses a negative commandment, and is liable on the count of taking two distinct utensils,
  - L since it is said, *He shall not take the mill and the upper millstone as a pledge* (Dt. 24:6).
  - M And not concerning a mill and the upper millstone alone did they speak,
  - N but concerning any utensil with which they prepare food,
  - O as it is said, For he seizes a man's life as a pledge (Dt. 24:6).
- **10:1** I A A house and an upper story belonging to two people which fell down
  - B the two of them divide the wood, stone, and mortar.
  - C And they take account of which stones are more likely to have been broken [and assign them to the likely owner of them].
  - D If one of them recognized some of the stones belonging to him,
  - E he takes them,
  - F but they count as part of his share in the reckoning.
- **10:2** II A A house and an upper story belonging to two people—
  - B [if the floor of] the upper room was broken,
  - C and the householder does not want to repair it,
  - D lo, the owner of the upper story goes down and lives downstairs,
  - E until [the other] will repair the upper story for him.
  - F R. Yose says, "The one who lives below supplies the beams, and the one who lives above supplies the plaster."
- **10:3** III A A house and an upper story belonging to two people which fell down
  - B [if] the resident of the upper story told the householder [of the lower story] to rebuild,
    - C but he does not want to rebuild,
    - D lo, the resident of the upper story rebuilds the lower story and lives there,
    - E until the other party compensates him for what he has spent.
    - F R. Judah says, "Also: this one is [then] living in his fellow's [housing]. [So in the end] he will have to pay him rent.

- G "But: The resident of the upper story builds both the house and the upper room,
- H "and he puts a roof on the upper story,
- I "and he lives in the lower story,
- J "until the other party compensates him for what he has spent."
- **10:4** A And so too: An olive press which is built into a rock,
  - B and a garden is on top of it [on its roof, above],
  - C and [the roof] was broken—
  - D lo, the owner of the garden [has the right to] go down and sow the area below,
  - E until the other party will rebuild vaulting for his olive press.
  - F The wall or the tree which fell down into public domain and inflicted injury—
  - G [the owner] is exempt from having to pay compensation.
  - H [If] they gave him time to cut down the tree or to tear down the wall,
  - I and they fell down during that interval,
  - J [the owner] is exempt.
  - K [If they fell down] after that time, [the owner] is liable.

10:5 I A He whose wall was near the garden of his fellow, and it fell down —

- B and [the owner of the garden] said to him, "Clear out your stones,"
  - C but the other said to him, "They're yours!"—
  - D they pay no attention to [the latter].
  - E [But if] after the other party had accepted [the ownership of the stones] upon himself,
  - F [the original owner of the wall] said to him, "Here's what you laid out! Now I'll take mine!"
- G they do not pay attention to [the former].
  - H He who hires a worker to work with him in chopped straw and stubble,
    - I and [the worker] said to him, "Pay me my wage,"
      - J and [the employer] said to him, "Take what you've made for your wage!"—
      - K they do not pay attention to [the employer].
      - L But [if,] after [the worker] had accepted [the proposition],
      - M [the employer] said to him, "Here's your salary, and now I'll take mine!"—
    - N they do not pay attention to [the employer].
    - O He who brings out his manure to the public domain—
    - P while one party pitches it out, the other party must be bringing it in to manure his field.
    - Q They do not soak clay in the public domain,
    - R and they do not make bricks.
    - S And they knead clay in the public way,
    - T but not bricks.
    - U He who builds in the public way—
    - V while one party brings stones, the builder must make use of them in building.
    - W And if one has inflicted injury, he must pay for the damages he has caused.
    - X Rabban Simeon b. Gamaliel says, "Also: He may prepare for doing his work [on site in the public way] for thirty days [before the actual work of building]."
- **10:6** A Two [terraced] gardens, one above the other—
  - B and vegetables between them—
  - C R. Meir says, "[They belong to the garden] on top."

Π

- D R. Judah says, "[They belong to the garden] below."
- Said R. Meir, "If the one on top wants to take away his dirt, there will not be any E vegetables there."
- F Said R. Judah, "If the one on the bottom wants to fill up his garden with dirt, there won't be any vegetables there."
- Said R. Meir, "Since each party can stop the other, they consider from whence the G vegetables derive sustenance [which is from the dirt (E)]."
- Η Said R. Simeon, "Any [vegetables] which the one on top can reach out and pick—lo, these are his.
- "And the rest belong to the one down below." Ι

## **BABA BATRA**

- А Jointholders [to a courtyard] who wanted to make a partition in the courtyard
  - build the wall in the middle. В
  - С In a place in which they are accustomed to build it of (1) unshaped stones, (2) hewn stones, (3) half-bricks, or (4) whole bricks,
  - they build it [of that sort of material]. D
  - All follow the custom of the province. E
  - F [If they make it] of (1) unhewn stones,
  - this one contributes [a space of] three handbreadths [of his share of the courtyard], G and that one supplies [a space of] three handbreadths.
  - Η [If they build it] of (2) hewn stones, this one supplies two handbreadths and a half [of space], and that one supplies two handbreadths and a half [of space].
  - [If they build it] of (3) half-bricks, this one supplies two handbreadths [of space], Ι and that one supplies two handbreadths [of space].
  - [If they build it out of] (4) whole bricks, this one supplies a handbreadth and a half, J and that one supplies a handbreadth and a half.
- Ι Therefore, if the wall should fall down, the location [on which it had stood] and the Κ stones belong to both parties.

#### 1:2 А And so is the rule in the case of a garden:

- В in a place in which it is customary to build a fence, they require [a recalcitrant owner] to do so.
  - С But in a valley, in a place in which it is not customary to build a fence, they do not require him to do so.
  - But if he wants, he may withdraw inside his own portion [of the property] and build D it.
- E And he places the facing of the wall outside of [the fence] [on the side of the neighbor, indicating his ownership].
- Therefore, if the wall should fall down, the location [on which it had stood] and the Π F stones are his.
  - If they had made it with the consent of both parties, G
  - Η they build the wall in the middle.
  - They place the facing of the wall on this side and on that side. Ι

#### III J Therefore, if the fence should fall down, the location [on which it had stood] and the stones belong to both parties.

1:1

- **1:3** A He who[se land] surrounds that of his fellow on three sides,
  - B and who made a fence on the first, second, and third sides—
  - C they do not require [the other party to share in the expense of building the walls].
  - D R. Yose says, "If he built a fence on the fourth side, they assign to him [his share in the case of] all [three other fences]."
- **1:4** A The wall of a courtyard which fell down—
  - B they require [each partner in the courtyard] to [help] build it up to a height of four cubits.
  - C [Each one is] assumed to have given, until one brings proof that he has not contributed to the cost.
  - D [If the fence was built] four cubits and higher, they do not require [a joint-holder in the courtyard to contribute to the expenses].
  - E [If the one who did not contribute] built another wall near [the restored one] [planning to roof over the intervening space],
  - F even though he did not [actually] put a roof on it,
  - G they assign him [his share in the cost of the] whole [other wall].
  - H [He is] assumed not to have contributed to the cost, until he brings proof that he has contributed to the cost.
- **1:5** A They force [a jointholder in the courtyard to contribute to] the building of a gatehouse and a door for the courtyard.
  - B Rabban Simeon b. Gamaliel says, "Not all courtyards are suitable for a gatehouse."
  - C They force [each jointholder to contribute to] the building of a wall, gates, and a bolt for the town.
  - D Rabban Simeon b. Gamaliel says, "Not all towns are suitable for a wall."
  - E How long must one be in a town to be deemed equivalent to all other townsfolk?
  - F Twelve months.
  - G [If] one has purchased a permanent residence, lo, he is equivalent to all the other townsfolk forthwith.
- **1:6** I A They do not divide up a courtyard unless there will be [an area of] four cubits [by four cubits] for this one, and four cubits [by four cubits] for that one;
  - II B nor [do they divide up] a field, unless there will be nine *qabs*' space of ground for this one, and nine *qabs*' space for that one.
    - C R. Judah says, "Unless there will be nine half-*qabs* of space for this one, and nine half-*qabs* of space for that one."
  - III D Nor [do they divide up] a vegetable patch unless there will be a half-*qab* of space for this one and a half-*qab* of space for that one.
    - E R. Aqiba says, "A quarter-*qab*'s space."
  - IV F Nor [do they divide up] (1) a banquet hall, (2) watchtower, (3) dovecote, (4) cloak; (5) bathhouse, or (6) olive press,
    - G unless there will be sufficient space for this one and sufficient space for that one.
  - V H This is the operative principle: Whatever may be divided and [retain] its original designation do they divide.
    - I But if not, they do not divide [such an object].
    - J Under what circumstances? When both parties do not concur.
    - K But if both parties concur,
    - L even if the measurements are less than specified,
    - M they divide [the area].

- N But as to Sacred Scriptures, even though both parties concur, they do not divide them.
- **2:1** A One may not dig (1) a cistern near the cistern of his fellow,
  - B nor (2) a ditch, (3) cave, (4) water channel, or (5) laundry pool,
    - C unless one set it three handbreadths away from the wall of his fellow,
    - D and plastered it with plaster [to retain the water].
    - E They set (1) olive refuse, (2) manure, (3) salt, (4) lime, or (5) stones three handbreadths from the wall of one's fellow,
    - F and plaster it with plaster.
    - G They set (1) seeds, (2) a plough, and (3) urine three handbreadths from a wall.
    - H And they set (1) a hand mill three handbreadths from the lower millstone, which is four from the upper millstone;
    - I and (2) the oven so that the wall is three handbreadths from the belly of the oven, or four from the rim.
- **2:2** A A person should not set up an oven in a room,
  - B unless there is a space of four cubits above it.
  - C [If] he was setting it up in the upper story, there has to be a layer of plaster under it three handbreadths thick,
  - D and in the case of a stove, a handbreadth thick.
  - E And if it did damage, [the owner of the oven] has to pay for the damage.
  - F R. Simeon says, "All of these measures have been stated only so that if [the object] inflicted damage, [the owner] is exempt from paying compensation [if the stated measures have been observed]."
- **2:3** A A person should not open a bake shop or a dyer's shop under the granary of his fellow,
  - B nor a cattle stall.
  - C To be sure, in the case of wine they permitted doing so,
  - D but not [building] a cattle stall [under the wine cellar].
  - E As to a shop in the courtyard,
  - F a person may object and tell [the shopkeeper], "I cannot sleep because of the noise of people coming in and the noise of people going out."
  - G One may make utensils [and] go out and sell them in the market.
  - H Truly one has not got the power to object and to say, "I cannot sleep because of the noise of the hammer,
  - I "the noise of the millstones,
  - J "or the noise of the children."
- **2:4** A He whose wall was near the wall of his fellow
  - B may not build another wall next to it,
  - C unless he sets it four cubits back.
  - D [And if he builds a wall opposite his fellow's] windows, whether it is higher, lower, or opposite them,
  - E [he must set it back by] four cubits.
- **2:5** A They set [one's] ladder four cubits away from the dovecote [of one's neighbor],
  - B so that the marten will not jump in [to the dovecote].

- C And [they set back] a wall from [one's neighbor's] roof gutter by four cubits,
- D so that [the neighbor] will be able to set up his ladder [to clean out his gutter].
- E They set up a dovecote fifty cubits away from a town.
- F And one should not set up a dovecote in his own domain, unless he has fifty cubits of space in every direction.
- G R. Judah says, "Four *kors* of space of ground,
- H "the length of the flight of a pigeon."
- I But if he had bought it [and it was built in that place],
- J even if it was only a quarter-*qab* of space,
- K lo, he retains his established right.
- **2:6** A A fallen pigeon which is found within fifty cubits—
  - B lo, it belongs to the owner of the dovecote.
  - C [If it is found] outside of a fifty-cubit range,
  - D lo, it belongs to the one who finds it.
  - E [If] it was found between two dovecotes,
  - F [If it was] nearer to this one, it belongs to him,
  - G and [if it was] nearer to the other one, it belongs to him,
  - H and [if it was] exactly in between, the two of them divide it up.
- **2:7** A They keep a tree twenty-five cubits from a town,
  - B and in the case of a carob or a sycamore, fifty cubits.
  - C Abba Saul says, "In the case of any sort of tree which produces no fruit, fifty cubits."
  - I D If the town was there first, one cuts down the tree and pays no compensation.
  - II E And if the tree came first, one cuts down the tree but pays compensation.
  - III F [If it is a matter of] doubt whether this came first or that came first,
    - G one cuts down the tree and pays no compensation.
- **2:8** A They set a permanent threshing floor fifty cubits from a town.
  - B A person should not build a permanent threshing floor on his own property,
  - C unless he owns fifty cubits of space in all directions.
  - D And he sets it some distance away from the crops of his fellow and from his ploughed land,
  - E so that it will not cause damage.
- **2:9** A They put carrion, graves, and tanneries at least fifty cubits away from a town.
  - B They make a tannery only at the east side of a town.
  - C R. Aqiba says, "In any side of it one may set it up,
  - D "except for the west side.
  - E "But one must in any event set it fifty cubits away [from the town]."
- **2:10** A They set up a pool for steeping flax away from a vegetable patch,
  - B leeks away from onions,
  - C and a mustard plant away from bees.
  - D R. Yose permits in the case of a mustard plant.
- **2:11** A They set up a tree twenty-five cubits away from a cistern,

- B and in the case of a carob and a sycamore tree, fifty cubits,
- C whether higher [than the cistern] or on the same level.
- I D If the cistern was there first, one cuts down the tree and pays the value.
- II E If the tree was there first, one may not cut down the tree.
- III F [If it is a matter of I doubt whether this was there first or that was there first, G one may not cut it down.
  - H R. Yose says, "Even though the cistern was there before the tree, one may not cut down [the tree],
  - I "for this one has every right to dig within his domain, and that one has every right to plant a tree within his domain."
- **2:12** A A person may not plant a tree near his fellow's field,
  - B unless he set it four cubits away from [the other's field].
    - C All the same are vines or any other tree.
    - D [If] there was a fence in between, this one plants near the wall on one side, and that one plants near the wall on the other side.
    - E [If] the roots of one's [tree] extended into the domain of the other,
    - F one may cut them away down to three handbreadths,
    - G so that they will not hinder the plough.
    - H [If] one was digging a cistern, ditch, or cave,
    - I he may cut off the roots as far as he digs down,
    - J and the wood is his.
- **2:13** A A tree which stretches over into the field of one's fellow—
  - B one cuts it away [to a height measured] as far as one reaches by an ox goad held over the plough,
  - C and, in the case of a carob and a sycamore, according to the measure of the plumb line [right at the boundary].
  - D In the case of an irrigated field, [he may cut away] any sort of tree by the measure of the plumb line [right at the boundary].
  - E Abba Saul says, "In the case of any tree which yields no fruit, [one may cut away] by the measure of the plumb line [right at the boundary]."
- **2:14** A [In the case of] a tree which extends into the public domain,
  - B one cuts [the branches] so that a camel may pass underneath with its rider.
  - C R. Judah says, "A camel carrying flax or bundles of branches."
  - D R. Simeon says, "Every tree [is to be cut away] in accord with the measure of a plumb line,
  - E "because of [the possibility of overshadowing a passing corpse and spreading] uncleanness."
- **3:1** A [Title by] usucaption of (1) houses, (2) cisterns, (3) trenches, (4) caves, (5) dovecotes, (6) bathhouses, (7) olive presses, (8) irrigated fields, (9) slaves,
  - B and anything which continually produces a yield—
  - C title by usucaption applying to them is three years,
  - D from day to day [that is, three full years].
  - E A field which relies on rain—[title by] usucaption for it is three years,
  - F not from day to day.

- G R. Ishmael says, "Three months in the first year, three in the last, and twelve months in between—lo, eighteen months [suffices]."
- H R. Aqiba says, "A month in the first year, a month in the last, and twelve months in between—lo, fourteen months."
- I Said R. Ishmael, "Under what circumstances?
- J "In the case of a sown field.
- K "But in the case of a tree-planted field, [if] one has brought in the [grape crop], collected the olives, and gathered the [fig] harvest,
- L "lo, these [three harvests] count as three years."
- **3:2** A There are three regions so far as securing title through usucaption [is concerned]: Judah, Transjordan, and Galilee.
  - B [If] one was located in Judea, and [someone else] took possession of his property in Galilee,
  - C [or] was in Galilee, and someone took possession [of his property] in Judea, it is not an effective act of securing title through usucaption—
  - D unless [the owner] is with [the squatter] in the same province.
  - E Said R. Judah, "They specified a period of three years only so that one may be located in Ispamia, and one may hold possession for a year, people will go and inform [the owner] over the period of a year, and he may return in the third year."
- **3:3** A Any act of usucaption [along] with which [there] is no claim [on the property being utilized] is no act of securing title through usucaption.
  - B How so?
  - C [If] he said to him, "What are you doing on my property,"
  - D and the other party answered him, "But no one ever said a thing to me!"—
  - E this is not usucaption.
  - F [If he answered,] "For you sold it to me," "You gave it to me as a gift, " "Your father sold it to me," "Your father gave it to me as a gift"—
  - G lo, this is usucaption.
  - H He who holds possession because of an inheritance [from the previous owner] requires no further claim [in his own behalf].
  - I (1) Craftsmen, partners, sharecroppers, and trustees are not able to secure title through usucaption.
  - J (2) A husband has no claim of usucaption in his wife's property,
  - K (3) nor does a wife have a claim of usucaption in her husband's property,
  - L (4) nor a father in his son's property,
  - M (5) nor a son in his father's property.
  - N Under what circumstances?
  - O In the case of one who effects possession through usucaption.
  - P But in the case of one who gives a gift,
  - Q or of brothers who divide an estate,
  - R and of one who seizes the property of a proselyte,
  - S [if] one has locked up, walled in, or broken down in any measure at all—
  - T lo, this constitutes securing a claim through usucaption.
- **3:4** A [If] two were testifying for another party that he has enjoyed the usufruct of the property for three years,
  - B and they turn out to be false witnesses,

- C they must pay to [the original owner] full restitution [Dt. 19:19].
- D [If] two witnesses [testify] concerning the first year, two concerning the second, and two concerning the third—
- E they divide up [the costs of restitution] among themselves.
- F Three brothers, and another party joins together with [each of] them—
- G lo, these constitute three distinct acts of testimony,
- H and they count as a single act of witness when the evidence is proved false.
- **3:5** A What are [usages] which are effective in the securing of title through usucaption, and what are [usages] which are not effective in the securing of title through usucaption?
  - B [If] one put (1) cattle in a courtyard, (2) an oven, (3) double stove, (4) millstone, (5) raised chickens, or (6) put his manure, in a courtyard—
  - C this is not an effective mode of securing title through usucaption.
  - D But [if] (1) he made a partition for his beast ten handbreadths high,
  - E and so too (2) for an oven; so too (3) for a double stove; so too (4) for a millstone—
  - F [if] (5) he brought his chickens into the house,
  - G or (6) made a place for his manure three handbreadths deep or three handbreadths high—
  - H lo, this is an effective mode of securing title through usucaption.
- **3:6** A A gutter spout does not [impart title through] usucaption [so that the spout still may be moved], but the place on which it discharges does impart title through usucaption [so that the place must be left for its present purpose].
  - B A gutter does [impart title through] usucaption.
  - C An Egyptian ladder does not [impart title through] usucaption, but a Tyrian ladder does [impart title through] usucaption.
  - D An Egyptian window does not [impart title through] usucaption, but a Tyrian window does [impart title through] usucaption.
  - E What is an Egyptian window? Any through which the head of a human being cannot squeeze.
  - F R. Judah says, "If it has a frame, even though a human being's head cannot squeeze through, it does [impart title through] usucaption."
  - G A projection [if it extends] a handbreadth [or more] does [impart title through] usucaption,
  - H and one has the power to protest [its being made].
  - I [If it projects] less than a handbreadth, it is not subject to [imparting title through] usucaption,
  - J and one has not got the power to protest [its being made].
- **3:7** A A person should not open his windows into the courtyard of which he is one of the jointholders.
  - B [If] he purchased a house in another courtyard [which adjoins the one in which he is living],
  - C he may not make an opening into the courtyard of which he is one of the jointholders.
  - D [If] he built an upper story on his house, he should not make an opening for it into a courtyard of which he is one of the jointholders.
  - E But if he wanted, he may build a [new] room inside of his house,
  - F or he builds an upper story on top of his house,
  - G and he makes an opening for it into his house.
  - H One should not open up in a courtyard of which he is one of the jointholders doorway opposite the doorway [of another resident],

- I or a window opposite [another's] window.
- J [If] it was small, he should not enlarge it.
- K [If it was] a single one, he should not make it into two.
- L But he may open into the public domain a doorway opposite [another's] doorway [in the public domain],
- M or a window opposite [another's] window [in the public domain].
- N If it was small, he may enlarge it.
- O If it was a single one, he may make it into two.
- **3:8** A They do not hollow out a space under the public domain—
  - B cisterns, ditches, or caves.
  - C R. Eliezer permits,
  - D [if it is so strong that] a wagon can go over it carrying stones.
  - E They do not extend projections and balconies over the public domain.
  - F But if one wanted, he brings in [his wall] into his own property and then projects [a balcony].
  - G [If] one has purchased a courtyard, and in it are projections and balconies, lo, this one retains his right [to keep them as they are].
- **4:1** A He who sells a house has not sold (1) the extension,
  - B even though [the extension] opens into [the house],
    - C (2) the room behind [the house],
    - D or (3) the roof, if it has a parapet ten handbreadths high.
    - E R. Judah says, "If it has the shape of a door, even though it is not ten handbreadths high, it is not [deemed to have been] sold."
- **4:2** A Nor [has he sold] (4) the cistern,
  - B or (5) the cellar,
  - C even though he wrote him [in the deed], "The depth and height."
  - D "But [the seller] has to purchase [from the buyer] a right-of-way [to the cistern or the cellar]," the words of R. Aqiba.
  - E And sages say, "He does not have to purchase a right-of-way,"
  - F and R. Aqiba concedes that when [the seller] said, "Except for these," he does not have to purchase a right-of-way for himself.
  - G [If the seller] sold [the cistern or cellar] to someone else,
  - H R. Aqiba says, "[The new purchaser] does not have to buy a right-of-way for himself."
  - I And sages say, "He has to buy a right-of-way for himself."
- **4:3** I A He who sells a house has sold the door but not the key.
  - B He has sold a permanent mortar but not a movable one.
  - C He has sold the convex millstone but not the concave millstone,
  - D nor the oven or the double stove.
  - E When he said to him [in the deed], "It and everything which is in it,"
  - F lo, all of them are sold.
- **4:4** II A He who sells a courtyard has sold the houses, cisterns, trenches, and caves,
  - B but not the movables.
  - C If he said to him, "It and everything which is in it,"

- D lo, all of them are sold.
  - E One way or the other, he has not sold him the bathhouse or the olive press which are in it.
  - F R. Eliezer says, "He who sells the courtyard has sold only the open space of the courtyard."
- **4:5** III A He who sells an olive press has sold the vat, grindstone, and posts.
  - B But he has not sold the pressing boards, wheel, or beam.
    - C If he said, "It and everything which is in it,"
    - D lo, all of them are sold.
    - E R. Eliezer says, "He who sells an olive press has sold the beam."
- **4:6** IV A He who sells a bathhouse has not sold the boards, benches, or hangings.
  - B If he said, "It and everything which is in it,"
  - C lo, all of them are sold.
  - D One way or the other, he has not sold the water jugs or woodsheds.
- **4:7** V A He who sells a town has sold the houses, cisterns, ditches, caves, bathhouses, dovecotes, olive presses, and irrigated fields
  - B but not the movables.
  - C If he said to him, "It and everything which is in it,"
  - D even though there are cattle and slaves in it,
  - E lo, all of them are sold.
  - F Rabban Simeon b. Gamaliel says, "He who sells a town has sold the town guard."
- **4:8** A He who sells a field has sold (1) the stones which are needed for it, (2) the canes in the vineyard which are needed for it, and (3) the crop which is yet unplucked up from the ground;
  - B (4) a partition of reeds which covers less than a quarter-*qab* of space of ground, (5) the watchman's house which is not fastened down with mortar, (6) the carob which was not grafted, and (7) the young sycamores.
- **4:9** A But he has not sold (1) the stones which are not needed for it, (2) the canes in the vineyard which are not needed for it, (3) the crop which has already been plucked up from the ground.
  - B If he had said to him, "It and everything which is in it,"
  - C lo, all of them are sold.
  - D One way or the other, he has not sold to him (4) a partition of reeds which covers a quarter-*qab* of space of ground, (5) a watchman's house which is fastened down with mortar, (6) a carob which was grafted, and (7) cropped sycamores;
  - E (8) a cistern, (9) winepress, or (10) dovecote,
  - F whether they are lying waste or in use.
  - G "And [the seller] needs to purchase [from the buyer] a right-of-way, "the words of R. Aqiba.
  - H And sages say, "He does not have to."
  - I And R. Aqiba concedes that, when [the seller] said to him, "Except for these," he does not have to buy himself a right-of-way.
  - J [If] he sold them to someone else,

- K R. Aqiba says, "[The new purchaser] does not have to buy a right-of-way for himself."
- L And sages say, "He has to buy a right-of-way for himself."
- M Under what circumstances?
- N In the case of one who sells [the aforelisted properties].
- O But in the case of one who gives a gift,
- P he [willingly] hands over all of them.
- Q Brothers who divided [an estate]—
- R once they have acquired possession of a field, they have acquired possession of all of them [and no longer may retract].
- II S He who lays hold of the property of a deceased proselyte [lacking Israelite heirs],
  - T once he has acquired possession of a field, has acquired possession of all of them.
- III U He who declares a field sanctified has declared all of them sanctified.
  - V R. Simeon says, "He who declares a field sanctified has declared sanctified only the carob which is grafted, and cropped sycamores."
- **5:1** A He who sells a ship has sold (1) the mast, (2) sail, and (3) anchor,
  - B and whatever steers it.
  - C But he has not sold (1) the slaves, (2) packing bags, or (3) lading.
  - D And if [the seller] had said to [the buyer] "It and everything which is in it," lo, all of them are sold.
  - E (1) [If] he sold the wagon, he has not sold the mules.
  - F (2) [If] he sold the mules, he has not sold the wagon.
  - G (3) [If] he sold the yoke, he has not sold the oxen.
  - H (4) [If] he sold the oxen, he has not sold the yoke.
  - I R. Judah says, "The price tells all."
  - J How so?

- K [If] he said to him, "Sell me your yoke for two hundred *zuz*,
- L the facts are perfectly clear,
- M for there is no yoke worth two hundred *zuz*.
- N And sages say, "The price proves nothing."
- **5:2** A He who sells an ass has not sold its trappings.
  - B Nahum the Mede says, "He has sold its trappings."
  - C R. Judah says, "Sometimes they are sold, and sometimes they are not sold."
  - D How so?
  - E [If] there was an ass before him, with its trappings on it, and he said to him, "Sell me this ass of yours,"
  - F lo, its trappings are sold.
  - G [If] he had said, "Sell me] that ass of yours," its trappings are not sold.
- **5:3** A (1) He who sells an ass has sold the foal.
  - B (2) [If] he sold the cow, he has not sold its offspring.
    - C (3) [If] he sold a dung heap, he has sold the dung on it.
    - D (4) [If] he sold a cistern, he has sold its water.
    - E (5) [If] he sold a beehive, he has sold the bees.
    - F (6) [If] he has sold the dovecote, he has sold the pigeons.
    - G (1) He who purchases "the fruit of a dovecote" from his fellow lets go the first pair that are hatched.

- H (2) [If he bought] "the fruit of a beehive," he takes three swarms, and then [the seller] makes the rest sterile.
- I (3) [If he bought] honeycombs, he leaves two honeycombs.
- J (4) [If he bought] olive trees to cut down, he leaves two shoots.
- **5:4** A He who buys two trees in his fellow's field,
  - B (1) lo, this party has not bought the ground [on which they are growing].
  - C R. Meir says, "He has bought the ground."
  - D (2) [If] they grew up, [the landowner] may not trim them.
  - E (3) What sprouts from the stem belongs to [the purchaser],
  - F [but what sprouts] from the roots belongs to the owner of the land.
  - G (4) And if [the trees] died, [the owner of the trees] has no [claim on the] land.
  - H (1) [If] he bought three, he has [also] bought the ground [on which they are growing].
  - I (2) [If] they grew up, [the landowner] may trim them.
  - J (3) And what sprouts both from the stem and from the roots belongs to [the purchaser].
  - K (4) And if they died, he has a claim on the land,
- **5:5** A (1) He who sells the head [in the case of] large cattle has not sold the feet.
  - B (2) [If] he sold the feet, he has not sold the head.
  - C (3) [If] he sold the lungs, he has not sold the liver.
  - D (4) [If] he sold the liver, he has not sold the lungs.
  - E But in the case of a small beast,
  - F (1) [If] he has sold the head, he has sold the feet.
  - G (2) [If] he has sold the feet, he has not sold the head.
  - H (3) [If] he has sold the lungs, he has sold the liver.
  - I [If] he has sold the liver, he has not sold the lungs.
- **5:6** A There are four rules in the case of those who sell:
  - I B [If] one has sold good wheat and it turns out to be bad, the purchaser has the power to retract.
  - II C [If one has sold] bad wheat and it turns out to be good, the seller has the power to retract.
  - III D [If he has claimed to sell] bad wheat, and it turns out to be bad,
    - E [or if he claimed to sell] good wheat and it turns out to be good,
      - F neither one of them has the power to retract.
  - IV G [If one sold it as] (1) dark-colored, and it turns out to be white,
    - H white, and it turned out to be dark,
      - I (2) olive wood, and it turned out to be sycamore [wood],
      - J sycamore wood, and it turned out to be olive wood,
    - K (3) wine, and it turned out to be vinegar,
    - L vinegar, and it turned out to be wine,
    - M both parties have the power to retract.
- 5:7 A He who sells produce to his fellow—
  - B [if the buyer] drew it but did not measure it, he has acquired possession of it.
  - C [If] he measured it but did not draw it [to himself], he has not acquired possession.
  - D If he was smart, he will rent the place [in which the produce is located].
  - E He who purchases flax from his fellow—

- F lo, this one has not acquired possession until he will move it from one place to another.
- G But if it was attached to the ground and he has plucked any small quantity of it, he has acquired possession.
- **5:8** A He who sells wine or oil to his fellow,
  - B and [the price] rose or fell,
  - C if this took place before the measure [belonging to the purchaser] had been filled up, [the price advantage goes] to the seller.
  - D [If this took place] after the measure had been filled up, [the price advantage goes] to the purchaser.
  - E And if there was a middleman between them,
  - F [and] the jar was broken,

- G it is broken [to the disadvantage of] the middleman.
- H [After emptying the measure], [the seller] is liable to let three drops drip.
- I [If thereafter] he turned the measure over and drained it, lo [what is drained off] goes to the seller.
- J But the shopkeeper is not liable to let three more drops drip.
- K R. Judah says, "[If it is] the eve of the Sabbath at dusk, he is exempt."
- A He who sends his child to the storekeeper with a *pondion* in his hand,
  - B and [the storekeeper] measured out for him an *issar*'s worth of oil [half a pondion] and give him an *issar* [in change],
  - C and [the child] broke the flask or lost the *issar* [of change]—
  - D the storekeeper is liable [to make it up].
  - E R. Judah declares him exempt,
  - F for it was with the stipulation [that the father will bear liability] that he had sent him.
  - G But sages [A-D] concur with R. Judah,
  - H that when the flask was in the child's hand, and the storekeeper measured out [oil] into it, the storekeeper is exempt.
- **5:10** I A A wholesaler must clean off his measures once every thirty days,
  - II B and a householder once every twelve months.
    - C Rabban Simeon b. Gamaliel says, "Matters are just the opposite."
  - III D The storekeeper (1) cleans off his measures twice a week, (2) polishes his weights once a week, and (3) cleans his scales after each and every weighing.
- **5:11** A Said Rabban Simeon b. Gamaliel, "Under what circumstances?
  - B "In the case of liquid measures.
  - C "But in the case of dry measures, it is not necessary."
  - D And [a shopkeeper] is liable to let the scales go down by a handbreadth [to the buyer's advantage].
  - E [If] he was measuring out for him exactly, he has to give him an overweight—
  - F one part in ten for liquid measure,
  - G one part in twenty for dry measure.
  - H In a place in which they are accustomed to measure with small measures, one must not measure with large measures;
  - I ... with large ones, one must not measure with small;

- J [in a place in which it is customary] to smooth down [what is in the measure], one should not heap it up;
- K ... to heap it up, one should not smooth it down.
- **6:1** A He who sells produce [consisting of grain] to his fellow [not specifying whether it is for food or for seed],
  - B and they did not sprout,
  - C and even if it was flax seed,
  - D he is not liable to make it up.
  - E Rabban Simeon b. Gamaliel says, "[If he sold] garden seed which is not suitable for eating, he is liable to make it up."
- 6:2 A He who sells produce to his fellow—
  - B lo, [the buyer] must agree to receive a quarter-*qab* of spoiled produce per *seah*.
  - C (1) [If he bought] figs, he must agree to accept ten maggoty ones per hundred.
  - D (2) [If he bought] a cellar of wine, he must agree to accept ten sour jars per hundred.
  - E (3) [If he bought] jars in Sharon, he must agree to accept ten faulty ones per hundred.
- **6:3** A He who sells wine to his fellow, and it went sour, is not liable to make it up.
  - B But if it was known that his wine would turn sour, lo, this is deemed a purchase made in error.
  - C And if he had said to him, "I'm selling you spiced wine,"
  - D he is liable to guarantee it [and make it up if it goes sour] up to Pentecost.
  - E [If he said it is] old [wine, it must be] last year's.
  - F [If he said it is] vintage old [it must be] from the year before last.
- **6:4** A "He who sells a piece of property to his fellow for building a house,
  - B "and so, he who contracts with his fellow to build a nuptial house for his son or a widow's manse for his daughter—
  - C "[the contractor] builds it four cubits by six," the words of R. Aqiba.
  - D R. Ishmael says, "That would be little more than a cattle shed!"
  - E (1) He who wants to build a cattle shed builds it four cubits by six.
  - F (2) [If he wants to build] a small house, it is six by eight.
  - G (3) [If he wants to build] a large house, it is eight by ten.
  - H (4) [If he wants to build] a hall, it is ten by ten.
  - I The height is [the sum of] half its length and half its breadth.
  - J Proof of the matter is the sanctuary [I Kings 6:17: 40 x 20 x 30].
  - K Rabban Simeon b. Gamaliel says, "Is everything [supposed to be] in accord with the way in which the sanctuary is built?"
- **6:5** I A He who has a cistern behind his fellow's house goes in when people usually go in and goes out when people usually go out.
  - B And he may not bring his cattle in and water them from his cistern.
    - C But he draws water and waters them outside.
    - D This party makes himself a lock, and that party makes himself a lock.
- **6:6** II A He who has a vegetable patch behind the vegetable patch of his fellow goes in when people usually go in and goes out when people usually go out.

- B And he does not bring in merchants.
- C And he may not go in to it through another field.
- D And [the owner of] the outer [patch] sows seeds on the pathway.
- E [If others] have given him a path on the side with the knowledge and consent of both parties,
- F he goes in whenever he wants and goes out whenever he wants and brings merchants in with him.
- G But he may not go in through another field.
- H And neither one of them has the right to sow seed [on the path].
- **6:7** A He who had a public way passing through his field,
  - B and who took it away and gave [the public another path] along the side,
  - C what he has given he has given.
  - D But what is his does not pass to him.
  - E (1) A private way is four cubits wide.
  - F (2) A public way is sixteen cubits wide.
  - G (3) An imperial road is without limit.
  - H (4) A path to the grave is without limit.
  - I (5) A place for halting [and mourning]—
  - J the judges of Sepphoris said, "It should be four *qabs* of space."
- **6:8** A He who sells a piece of property to his fellow for making a [family] grave—
  - B and so, he who receives [a piece of property] from his fellow for making [family] grave—
  - C [the contractor] makes the central space of the vault four cubits by six,
  - D and he opens in it eight niches,
  - E three on one side, three on the other side, and two at the end.
  - F And the niches are to be four cubits long, seven cubits high, and six cubits broad.
  - G R. Simeon says, "[The contractor] makes the inside of the vault six cubits by eight,
  - H "and he opens in it thirteen niches:
  - I "four on one side, four on the other side, three at the end, and one at [facing] the right of the door, and one at [facing] the left of the door."
  - J And [the contractor] makes a courtyard at the mouth of the vault, six by six—
  - K space for the bier and those who bear it.
  - L And he opens in [the courtyard] two other vaults, one on one side, and one on the other.
  - M R. Simeon says, "Four, in all four directions."
  - N Rabban Simeon b. Gamaliel says, "All depends on the nature of the rock."
- 7:1 A He who says to his fellow, "I am selling you a *kor*'s area of arable land—
  - B [if] there were there crevices ten handbreadths deep,
  - C or rocks ten handbreadths high,
  - D they are not measured with [the area].
  - E [If they were] less than [the stated measurements],
  - F they are measured with [the area]
  - G And if he said to him, "Approximately a *kor*'s area of arable land [I am selling to you],"
  - H even if there were there crevices more than ten handbreadths deep, or rocks more than ten handbreadths high,
  - I lo, they are measured with [the area].

- **7:2** A [If he said to him,] "A *kor*'s area of arable land I am selling to you, as measured by a rope,"
  - B [if he gave him] any less, [the purchaser] may deduct [the difference].
  - C [If he gave him] any more, [the purchaser] must return [cash or additional land].
  - D If he said, "Whether less or more,"
  - E even if he gave him a quarter-*qab*'s space less for a *seah*'s area, or a quarter-*qab*'s space more for a *seah*'s area,
  - F it belongs to [the purchaser].
  - G [If it was more] than this, let him make a reckoning.
  - H What does he pay back to him?
  - I Cash.
  - J But if he wanted, he gives him back land.
  - K And why have they said, "He pays back cash"?
  - L To improve the claim of the seller,
  - M for if he left in a field [of a *kor's* space] nine *qabs* of space,
  - N or in a vegetable patch, an area of a half-*qab*—
  - O (in the opinion of R. Aqiba, a quarter-qab—)
  - P [the buyer] will pay him back in land [and not money].
  - Q And not only the quarter-*qab* of area alone does he return, but all the extra land.
- **7:3** A "[If he said], 'I am selling you [a *kor's* space of ground] measured by a rope, whether it is less or more,'
  - B "[the use of the expression] *less or more* nullifies the reference to *measuring by a rope*.
  - C "[If he said, 'I am selling you a *kor*'s space of ground], more or less, measured by a rope,'
  - D "[the use of the expression] *measured by a rope* nullifies the reference to *less or more*," the words of Ben Nannos.
  - E [If he said, "I will sell you a *kor's* area of ground as measured] by its marks and boundaries," and the difference [between the space thus measured and a *kor*] was less than a sixth, it belongs to [the purchaser].
  - F [If it was] more than a sixth, the purchaser deducts [the difference from the price].
- 7:4 A He who says to his fellow, "Half a field I am selling to you"—
  - B they divide [the field] between them [into portions of equal value],
  - C and [the purchaser] takes a half of his field.
  - D [If he said], "The half of it in the south I am selling to you,"
  - E they divide between them [the field into portions of equal value],
  - F and [the purchaser] takes the half at the south.
  - G And he accepts [responsibility for providing ground for] the place in which the fence is to be located, and for large and small ditches.
  - H How large is a large ditch? Six handbreadths.
  - I And a small ditch? Three.
- 8:1 A There are those who inherit and bequeath, there are those who inherit but do not bequeath, bequeath but do not inherit, do not inherit and do not bequeath.
  - B These inherit and bequeath:
  - C the father as to the sons, the sons as to the father; and brothers from the same father [but a different mother], [as to one another] inherit from and bequeath [to one another].
  - D The man as to his mother, the man as to his wife, and the sons of sisters inherit from, but do not bequeath [to one another].

- E The woman as to her sons, the woman as to her husband, and the brothers of the mother bequeath to, but do not inherit [from one another].
- F Brothers from the same mother do not inherit from, and do not bequeath [to one another].

- A The order of [the passing of an] inheritance is thus:
- B If a man dies and had no son, then you shall cause his inheritance to pass to his daughter (Num. 27:8)—
- C the son takes precedence over the daughter,
- D and all the offspring of the son take precedence over the daughter.
- II E The daughter takes precedence over [surviving] brothers. The offspring of the daughter take precedence over the brothers.
- III F The [decedent's] brothers take precedence over the father's brothers. The offspring of the brothers take precedence over the father's brothers.
  - G This is the governing principle:
  - H Whoever takes precedence in inheritance—his offspring [also] take precedence.
  - I The father takes precedence over all [the father's] offspring [if none is a direct offspring of the deceased].
- **8:3** A The daughters of Zelophehad took three portions of the inheritance:
  - B (1) the portion of their father [Num. 27:7], who was among those who had gone forth from Egypt, and (2–3) his share along with his brothers from the property of Hepher [their father's father], for Zelophehad was a firstborn, receiving two portions.
- 8:4 A All the same are the son and the daughter as to matters of inheritance,
  - B except that the son takes a double portion in the estate of the father [Dt. 21:17].
  - C [The son] does not take a double portion in the estate of the mother.
  - D The daughters are supported by the father's estate and are not supported by the mother's estate.
- 8:5 A He who says, "So-and-so, my firstborn son, is not to receive a double portion,"
  - B "So-and-so, my son, is not to inherit along with his brothers,"
  - C has said absolutely nothing.
  - D For he has made a stipulation contrary to what is written in the Torah.
  - E He who divides his estate among his sons by a verbal [donation],
  - F [and] gave a larger portion to one and a smaller portion to another, or treated the firstborn as equivalent to all the others—
  - G his statement is valid.
  - H But if he had said, "By reason of an inheritance [the aforestated arrangements are made],"
  - I he has said nothing whatsoever.
  - J [If] he had written, whether at the beginning, middle, or end, [that these things are handed over] as a gift, his statement is valid.
  - K He who says, "Mr. So-and-so will inherit me," in a case in which he has a daughter,
  - L "My daughter will inherit me," in a case in which he has a son,
  - M has said nothing whatsoever.
  - N For he has made a stipulation contrary to what is written in the Torah.
  - O R. Yohanan b. Beroqah says, "If he made such a statement concerning someone who is suitable for receiving an inheritance from him, his statement is valid.

- P "But [if he made such a statement] concerning someone who is not suitable for receiving an inheritance from him, his statement is null."
- Q He who writes over his property to others and left out his sons—
- R what he has done is done.
- S But sages are not pleased with him.
- T Rabban Simeon b. Gamaliel says, "If his sons were not behaving properly, his memory is for a blessing."
- **8:6** A He who says, "This is my son," is believed.
  - B [If he said], "This is my brother," he is not believed,
  - C and [the latter] shares with him in his portion [of the father's estate].
  - D [If the brother whose status is in doubt] died, the property is to go back to its original source.
  - E [If] he received property from some other source, his brothers are to inherit with him.
  - F He who died, and a will was found tied to his thigh—
  - G lo, this is nothing whatsoever.
  - H [If he had delivered it and] granted possession through it to another person,
  - I whether this is one of his heirs or not one of his heirs,
  - J his statement is confirmed.

Ι

- A "He who writes over his property to his sons has to write, 'From today and after death,' " the words of R. Judah.
  - B R. Yose says, "He does not have [to do so]."
  - C He who writes over his property to his son [to take effect] after his death—
- I D the father cannot sell the property, because it is written over to the son,
- II E and the son cannot sell the property, because it is [yet] in the domain of the father.
- III F [If] the father sold [it], the property is sold until he dies.
  - G [If] the son sold the property, the purchaser has no right whatever in the property until the father dies.
    - H The father harvests the crops and gives the usufruct to anyone whom he wants.
    - I And whatever he left already harvested—lo, it belongs to his heirs.
  - J [If] he left adult and minor sons, the adults may not take care of themselves [from the estate] at the expense of the minor sons,
    - K nor may the minor sons support themselves [out of the estate] at the expense of the adult sons.
    - L But they divide the estate equally.
- II M If the adult sons got married [at the expense of the estate], the minor sons [in due course] may marry [at the expense of the estate].
- III N But if the minor sons said, "Lo, we are going to get married just as you did [while father was still alive]"—
  - O they pay no heed to them.
  - P But what the father gave to them he has given.

# **8:8** I A [if] he left adult and minor daughters, the adults may not take care of themselves [from the estate] at the expense of the minor daughters,

- B nor may the minors support themselves [from the estate] at the expense of the adult daughters.
- C But they divide the estate equally.

- II D If the adult daughters got married [at the expense of the estate], the minor daughters may get married [at the expense of the estate].
- III E And if the minor daughters said, "Lo, we are going to get married just as you got married [while father was still alive],"
  - F they pay no heed to them.
  - G This rule is more strict in regard to daughters than to sons.
  - H For the daughters are supported at the disadvantage of the sons [M. 9:1], but they are not supported at the disadvantage of [other] daughters.
- 9:1 A He who died and left sons and daughters—

- B when the estate is large, the sons inherit, and the daughters are supported [by the estate].
- C [If] the estate is small, the daughters are supported, and sons go begging at [people's] doors.
- D Admon says, "Merely because I am male, do I have to lose out?"
- E Said Rabban Gamaliel, "I concur in the opinion of Admon."
  - A [If] he left sons and daughters and one whose sexual traits were not clearly defined,
    - B when the estate is large, the males push him over onto the females.
    - C [If] the estate is small, the females push him over onto the males.
  - D He who says, "If my wife bears a male, he will get a *maneh*,"—
- E [if] she bore a male, he gets a *maneh*
- II F [If he said, "If she bears] a female, [she will get] two hundred [zuz],"
- G [if] she bore a female, she gets two hundred [*zuz*].
- III H [If he said, "If she bears] a male, [he will get] a *maneh*, if [she bears] a female, [she will get] two hundred [*zuz*],"
  - I if she bore a male and a female, the male gets a *maneh*, and the female [gets] two hundred [*zuz*].
- IV J [If] she bore a child whose sexual traits were not clearly defined, he gets nothing.
- V K If he said, "Whatever my wife bears will get [a *maneh*], " lo, this one gets [a *maneh*].
  - L And if there is no heir but that [child lacking defined sexual traits], he inherits the entire estate.
- 9:3 A [If] he left adult and minor sons—
  - B [if] the adults improved the value of the estate,
  - C the increase in value is in the middle [shared by all heirs].
  - D If they had said, "See what father has left us. Lo, we are going to work it and [from that] we shall enjoy the usufruct,"
  - E the increase in value is theirs.
  - F And so in the case of a woman who improved the value of the estate—
  - G the increase in value is in the middle.
  - H If she had said, "See what my husband has left me! Lo, I am going to work and enjoy the usufruct,"
  - I the increase in value is hers.
- **9:4** A Brothers who were jointholders [in an inherited estate], one of whom fell into public office—
  - B [the charge or benefit] fell to the common fund.

- C [If] he became ill and was healed, the healing is at his own expense.
- D Brothers, some of whom made a present as groomsmen [at their father's expense] while their father was alive,
- E [and after the father's death] the groomsmen's gift returned to them,
- F it has returned to the common fund.
- G For the groomsmen's gift [is deemed a loan and] is recoverable in court.
- H But he who sends his fellow jugs of wine and oil [in his father's lifetime]—
- I they are not recoverable in court,
- J because they count as a charitable deed.
- 9:5 A He who sends gifts to his father-in-law's household—
  - B [if] he sent gifts worth a hundred *manehs* and consumed a wedding feast of even *a denar* 
    - C [if he divorced his wife], [the gifts] are not recoverable.
    - D [If he did not eat a wedding feast at all], lo, they are recoverable.
    - E [If the husband] had sent many gifts, which were to be returned with her to her husband's house, lo, they are recoverable.
    - F [If he had sent] few gifts, which she was to use in her father's house, they are not recoverable.
- **9:6** A A dying man who wrote over all his property to others [as a gift] but left himself a piece of land of any size whatever—
  - B his gift is valid.
  - C [If] he did not leave himself a piece of land of any size whatever,
  - D his gift is not valid.
  - E [If] he did not write [in the deed of gift], "who lies dying,"
  - F [and if, after recovery, he wishes to reclaim his property], [so] he says he had been dying,
  - G and [the recipients] say, "He had been healthy"—
  - H "he has to bring proof that he had been dying," the words of R. Meir.
  - I And sages say, "He who lays claim against his fellow bears the burden of proof."
- 9:7 A He who verbally divides his property ["by word of mouth"]—
  - B R. Eliezer says, "All the same are a healthy man and a man whose life is endangered —
  - C "property for which there is security is acquired through money, a document, and usucaption.
  - D "And that for which there is no security is acquired only through being drawn [into the possession of the one who acquires it]."
  - E They said to him, "*M*'SH B: The mother of the sons of Rokhel was sick and said, 'Give my veil to my daughter,' and it was worth twelve *maneh*. And she died, and they carried out her statement."
  - F He said to them, "As to the sons of Rokhel, may their mother bury them."
  - G And sages [B. B.B. 156b: Eliezer] say, "If [he gave verbal instructions] on the Sabbath, his statement is confirmed,
  - H "because he is not able to write down [his will].
  - I "But not [if it took place] on a weekday."
  - J R. Joshua says, "If they have stated this rule for the Sabbath, all the more so that it applies on a weekday."
  - K Similarly:

- L Others may effect possession for a minor, but they do not effect possession for an adult [B. B.B. 156b]: [the words of R. Eliezer].
- M R. Joshua says, "If they have said so of a minor, all the more so does the rule apply to an adult."
- **9:8** I A [If] the house fell on him and on his father,
  - B or on him and on those whom he inherits,
  - C and he was liable for the settlement of his wife's marriage contract and for payment of a debt—
  - D the heirs of the father claim, "The son died first, and afterward the father died,"—
  - E the creditors claim, "The father died first, and then the son"—
  - F The House of Shammai say, "Let them share [the son's estate]."
  - G And the House of Hillel say, "The property remains in its former status [in the hands of those who inherit the father]."
- **9:9** II A [If] the house fell on him and on his wife,
  - B the heirs of the husband say, "The wife died first, and afterward the husband died"—
  - C the heirs of the wife say, "The husband died first, and afterward the wife died"—
  - D the House of Shammai say, "Let them divide."
  - E And the House of Hillel say, "The property remains in its former status.
  - F "The [money for the] marriage settlement remains in the hands of the heirs of the husband.
  - G "[But] the property which goes into the marriage with her and goes out of the marriage with her [at the value at which it was assessed to begin with] is assigned to the possession of the heirs of the father [of the wife]."
- 9:10 III A [If] the house fell on him and on his mother—
  - B these and those parties agree that they divide it.
  - C Said R. Aqiba, "I concur in this case that the property remains in its former status."
  - D Ben Azzai said to him, "Concerning the points of difference we are distressed.
  - E "Will you now come to bring disagreement on the points on which they are in agreement?"
- **10:1** I A An unfolded document [has] the signatures within [at the bottom of a single page of writing].
  - B And one which is folded has the signatures behind [each fold].
  - C An unfolded document, on which its witnesses signed at the back,
  - D or a folded document, on which its witnesses signed on the inside—
  - E both of them are invalid.
  - F R. Hananiah b. Gamaliel says, "One which is folded, on the inside of which its witnesses signed their names, is valid,
  - G "because one can unfold it."
  - H Rabban Simeon b. Gamaliel says, "Everything is in accord with local custom."
- **10:2** II A An unfolded document—its witnesses are two.
  - B And a folded one—its witnesses are three.
  - C An unfolded one in which there is a single witness,

- D and a folded one in which there are two witnesses—
- E both of them are invalid.
- F [If] there was written in a bond of indebtedness, "A hundred *zuz*, which are twenty *selas*, " [the creditor] has a claim on only twenty *selas* [even though a hundred *zuz* are twenty-five *selas*].
- G [If it is written,] "A hundred *zuz* which are thirty *selas*," he has a claim only on a *maneh* [a hundred *zuz*], [since a hundred *zuz* are twenty-five *selas*].
- I H "Silver *zuzim* which are ...," and the rest was blotted out
  - I there is a claim for no less than two.
- II J "Silver *selas* which are ..., and the rest was blotted out— there is claim of no less than two.
- III K *"Darics* which are ..., and the rest was blotted out—there is a claim for no less than two.
  - L [If] written at the top is, "*a maneh*, " and at the bottom, "two hundred [*zuz*]"
  - M or at the top, "two hundred [zuz]," and at the bottom, "maneh"—
  - N all follows what is written at the bottom.
  - O If so, why do they write the upper figure at all?
  - P So that if one letter from the lower figure is blotted out, one may learn [infer] from the upper figure.
- **10:3** I A They write out a writ of divorce for a man, even though his wife is not with him.
  - B And a quittance for the wife, even though her husband is not with her,
    - C on condition that [the scribe] knows them.
  - D And the husband pays the fee.
  - II E They write a writ of indebtedness for the borrower, even though the lender is not with him,
    - F but they do not write a writ for the lender, unless the borrower is with him.
    - G The borrower pays the scribe's fee.
  - III H They write a writ of sale to the seller, even though the buyer is not with him.
    - I But they do not write a writ of sale for the purchaser, unless the seller is with him. J And the purchaser pays the scribe's fee.
- **10:4** I A They write the documents of betrothal and marriage only with the knowledge and consent of both parties.
  - B And the husband pays the scribe's fee.
  - II C They write documents of tenancy and sharecropping only with the knowledge and consent of both parties.
    - D And the tenant pays the scribe's fee.
  - III E They write documents of arbitration or any document drawn up before a court only with the knowledge and consent of both litigants.
    - F And both litigants pay the scribe's fee.
    - G Rabban Simeon b. Gamaliel says, "They write two for the two parties, one copy for each."
- 10:5 A He who paid part of a debt which he owed and who deposited the bond with a third party, B and said to him, "If I have not given you [what I still owe the lender] between now and such-and-such a date, give [the creditor] his bond of indebtedness,"
  - C [if] the time came, and he has not paid,
  - D R. Yose says, "He should hand it over."

- E And R. Judah says, "He should not hand it over."
- **10:6** A He whose writ of indebtedness was blotted out—
  - B witnesses give testimony about it,
  - C and he comes to a court, and they draw up this confirmation:
  - D "Mr. So-and-so, son of So-and-so—his bond of indebtedness was blotted out on such-andsuch a day, and Mr. So-and-so and Mr. Such-and-such are his witnesses."
  - E He who had paid off part of his debt—
  - F R. Judah says, "He should exchange [the bond for another one, in which what is now owing is specified]."
  - G R. Yose says, "[The creditor] should write him a receipt."
  - H Said R. Judah, "It turns out that this one has to guard his receipt from rats."
  - I Said to him R. Yose, "That's good for him, so long as the right of the other party has not been damaged."
- **10:7** A Two brothers—
  - B one poor, one rich—
  - C and their father left them a bathhouse and an olive press—
  - D [if the father] had built them to rent them out—
  - E the rent is held in common.
  - F [If] he made them for his own use,
  - G lo, the rich one says to the poor one, "You buy slaves, and let them wash in the bathhouse."
  - H "You buy olives, and come and prepare them in the olive press."
  - I Two who were in the same town—
  - J The name of one was Joseph b. Simeon, and the name of the other was Joseph b. Simeon—
  - K they cannot produce a writ of indebtedness against one another,
  - L nor can a third party produce a writ of indebtedness against either one of them.
  - M [If] among the documents of one of them is found a writ of Joseph b. Simeon which has been paid off, the writs of both of them are deemed to have been paid off.
  - N What should they do?
  - O Let them write down the names of the third generation.
  - P And if all three [generations'] names are alike, let them write a description.
  - Q And if the descriptions are alike, let them write, "Priest."
  - R He who says to his son, "There is a bond of indebtedness among my documents which has been paid, and I do not know which one of them it
    - is"—all of his bonds are deemed to have been paid off.
  - S [If] two were found applying to a single [debtor],
  - T the larger one is deemed to have been paid, and the smaller one is not deemed to have been paid.
  - U He who lends money to his fellow on the strength of a guarantor may not collect from the guarantor.
  - V But if he had said, "[Lo, I lend to you] on condition that I may collect from whichever party I wish," he may then collect from the guarantor.
  - W Rabban Simeon b. Gamaliel says, "If the debtor has property, one way or the other, he should not collect from the guarantor."
  - X And so did Rabban Simeon b. Gamaliel say, "He who was guarantor for a woman as to her marriage settlement, and her husband divorced her—

- Y "[in the case of a divorce] let the husband vow not to derive benefit from her,
- Z "lest they make a conspiracy to defraud this one of his property,
- AA "and [the husband] then remarry his wife."
- **10:8** A He who lends money to his fellow on the security of a bond of indebtedness collects what is owing to him from mortgaged property.
  - B (1) [But if he had lent to him on the security of] witnesses, he collects only from unindentured property.
  - C (2) [If] he produced against him [the debtor's] note of hand [as evidence] that he owes him [money],
  - D he collects from unindentured property.
  - E (3) He who signs as guarantor below the [signature of] bonds of indebtedness—[the creditor] collects [only] from unindentured property.
  - F A case came before R. Ishmael, and he ruled, "He may collect from unindentured property."
  - G Said to him Ben Nannos, "He collects neither from mortgaged property nor from unindentured property."
  - H He said to him, "Why?"
  - I He said to him, "He who seizes someone by the throat [who owes him money] in the market, and his fellow came upon him and said to him, 'Let him go'—[the latter] is exempt [from having to guarantee the loan],
  - J "since it was not in reliance upon him that he had lent [the debtor] the money in the first place."
  - K "But who is the guarantor who is liable [to pay if the debtor does not do so]?
  - L "[One who says,] 'Lend him money, and I'll pay you back'—
  - M "he is liable.
  - N "For it was in reliance upon him that he had lent [the debtor] the money in the first place."
  - O Said R. Ishmael, "He who wants to get smart had best get busy with commercial law.
  - P "For you have no specialty in the Torah greater than those laws.
  - Q "For they are like an ever-bubbling spring.
  - R "He who wants to get busy with commercial law had best serve [as disciple of] Simeon b. Nannos."

# SANHEDRIN

- **1:1** A Property cases [are decided] by three [judges];
  - B (2) those concerning theft and damages, before three;
  - C (3) [cases involving] compensation for full damages, half-damages [Ex. 21:35], twofold restitution [Ex. 22:3], fourfold and fivefold restitution [Ex. 21:37], by three;
  - D (4) "[cases involving] him who rapes [Dt. 32:28–29], him who seduces [Ex. 22:15–16], and *him who brings forth an evil name* (Dt. 22:19), by three," the words of R. Meir.
  - E And sages say, "He who brings forth an evil name is [tried] before twenty-three,
  - F "for there may be a capital case."
- **1:2** A (5) [Cases involving the penalty of] flogging [Dt. 25:2–3] are before three.
  - B In the name of R. Ishmael they said, "Before twenty-three."
  - C (6) [The decision to] intercalate the month is before three.

- D (7) "[The decision to] intercalate the year is before three," the words of R. Meir.
- E Rabban Simeon b. Gamaliel says, "With three do they begin, with five [more] they debate the matter, and they reach a final decision with seven [more] [judges].
- F "But if they reached a decision [to intercalate the year] with three [judges], [the year is] intercalated."
- **1:3** A (8) "The laying of hands [on a community sacrifice] by elders and the breaking of the heifer's neck [Dt. 21:1–9] are done by three judges," the words of R. Simeon.
  - B R. Judah says, "By five."
  - C (9) The rite of removal of the shoe [breaking the levirate bond] (Dt. 25:7–9) and the exercise of the right of refusal are done before three judges.
  - D (10) [The evaluation of] fruit of fourth-year plantings [which is to be redeemed (Lev. 19:23–25)] and of second tithe (Dt. 14:22–26) whose value is not known is done before three [judges].
  - E (11) Assessment of the value, [for purposes of redemption,] of things which have been consecrated is done before three [judges].
  - F (12) [Property pledged as security for] vows of valuation, in the case of movables, is evaluated by three [judges].
  - G R. Judah says, "One of them must be a priest."
  - H And [evaluation of property pledged as security for vows for valuation] in the case of real estate is done by nine and a priest.
  - I And so for [the valuation vow covering] men.
- **1:4** A (1) Cases involving the death penalty are judged before twenty-three [judges].
  - B (2) The beast who commits or is subjected to an act of sexual relations with a human being is judged by twenty-three,
  - C since it is said, And you will kill the woman and the beast (Lev. 20:16),
  - D and it says, And the beast you will slay (Lev. 20:15).
  - E (3) An ox which is to be stoned is judged by twenty-three,
  - F since it is said, And the ox will be stoned, and also its master will be put to death (Ex. 21:29).
  - G Just as [the case of the master], leading to the death penalty, [is adjudged], so is the [case of] the ox, [leading to] the death penalty.
  - H The wolf, lion, bear, panther, leopard, and snake—a capital case affecting them is judged by twenty-three.
  - I R. Eliezer says, "Whoever kills them first acquires merit."
  - J R. Aqiba says, "Their capital case is judged by twenty-three."
- **1:5** A (1) They judge a tribe, a false prophet [Dt. 18:20], and a high priest, only on the instructions of a court of seventy-one members.
  - B (2) They bring forth [the army] to wage a war fought by choice only on the instructions of a court of seventy-one.
  - C (3) They make additions to the city [of Jerusalem] and to the courtyards [of the Temple] only on the instructions of a court of seventy-one.
  - D (4) They set up sanhedrins for the tribes only on the instructions of a court of seventy-one.
  - E (5) They declare a city to be "an apostate city" [Dt. 13:12ff.] only on the instructions of a court of seventy-one.
  - F And they do not declare a city to be "an apostate city" on the frontier,
  - G nor [do they declare] three [in one locale] to be [apostate cities],

- H but they do so in the case of one or two.
- **1:6** A The great sanhedrin was [made up of] seventy-one members,
  - B and the small one was [made up of] twenty-three.
  - C And how do we know that the great sanhedrin was to have seventy-one members?
  - D Since it is said, *Gather to me seventy men of the elders of Israel* (Num. 11:16).
  - E Since Moses was in addition to them, lo, there were seventy-one.
  - F R. Judah says, "It is seventy."
  - G And how do we know that a small one is twenty-three?
  - H Since it is said, *The congregation shall judge*, and *The congregation shall deliver* (Num. 35:24, (25)—
  - I one congregation judges, and one congregation saves—thus there are twenty.
  - J And how do we know that a congregation is ten? Since it is said, *How long shall I bear* with this evil congregation [of the ten spies] (Num. 14:27)—excluding Joshua and Caleb.
  - K And how do we know that we should add three more?
  - L From the implication of that which is said, *You shall not follow after the many to do evil* (Ex. 23:20), I derive the inference that I should be with them to do good.
  - M If so, why is it said, *After the many to do evil?*
  - N Your verdict of acquittal is not equivalent to your verdict of guilt.
  - O Your verdict of acquittal may be on the vote of a majority of one, but your vote for guilt must be by a majority of two.
  - P Since there cannot be a court of an even number of members [twenty-two], they add yet another—thus twenty-three.
  - Q And how many residents must there be in a town so that it may be suitable for a sanhedrin?
  - R One hundred and twenty.
  - S R. Nehemiah says, "Two hundred and thirty, equivalent in number to the chiefs of groups of ten [Ex. 18:21]."
- **2:1** A A high priest (1) judges, and [others] judge him;
  - B (2) gives testimony, and [others] give testimony about him;
  - C (3) performs the rite of removing the shoe [Dt. 25:7–9], and [others] perform the rite of removing the shoe with his wife.
  - D (4) [Others] enter levirate marriage with his wife, but he does not enter into levirate marriage,
  - E because he is prohibited to marry a widow.
  - F (5) [If] he suffers a death [in his family], he does not follow the bier.
  - G "But when [the bearers of the bier] are not visible, he is visible; when they are visible, he is not.
  - H "And he goes with them to the city gate," the words of R. Meir.
  - I R. Judah says, "He never leaves the sanctuary,
  - J "since it says, Nor shall he go out of the sanctuary (Lev. 21:12)."
  - K And when he gives comfort to others—
  - L the accepted practice is for all the people to pass one after another, and the appointed [prefect of the priests] stands between him and the people.
  - M And when he receives consolation from others,
  - N all the people say to him, "Let us be your atonement."
  - O And he says to them, "May you be blessed by Heaven."
  - P (6) And when they provide him with the funeral meal,
  - Q all the people sit on the ground, while he sits on a stool.

- **2:2** A (1) The king does not judge, and [others] do not judge him;
  - B (2) does not give testimony, and [others] do not give testimony about him;
  - C (3) does not perform the rite of removing the shoe, and others do not perform the rite of removing the shoe with his wife;
  - D (4) does not enter into levirate marriage, nor [do his brothers] enter levirate marriage with his wife.
  - E R. Judah says, "If he wanted to perform the rite of removing the shoe or to enter into levirate marriage, his memory is a blessing."
  - F They said to him, "They pay no attention to him [if he expressed the wish to do so]—",
  - G [Others] do not marry his widow.
  - H R. Judah says, "A king may marry the widow of a king.
  - I "For so we find in the case of David, that he married the widow of Saul,
  - J "For it is said, *And I gave you your master's house and your master's wives into your embrace* (II Sam. 12:8)."
- **2:3** A (5) [If] he suffers a death in his family, he does not leave the gate of his palace.
  - B R. Judah says, "If he wants to go out after the bier, he goes out,
  - C "for thus we find in the case of David, that he went out after the bier of Abner,
  - D "since it is said, And King David followed the bier (II Sam. 3:31)."
  - E They said to him, "This action was only to appease the people."
  - F (6) And when they provide him with the funeral meal, all the people sit on the ground while he sits on a couch.
- **2:4** A [The king] calls out [the army] to [wage] a war fought by choice on the instructions of a court of seventy-one.
  - B He [may exercise the right to] open a road for himself, and [others] may not stop him.
  - C The royal road has no required measure.
  - D All the people plunder and lay before him [what they have grabbed], and he takes the first portion.
  - E *He should not multiply wives to himself* (Dt. 17:17)—only eighteen.
  - F R. Judah says, "He may have as many as he wants, so long as they do not entice him [to abandon the Lord (Dt. 7:4)]."
  - G R. Simeon says, "Even if there is only one who entices him [to abandon the Lord]—lo, this one should not marry her."
  - H If so, why is it said, *He should not multiply wives to himself?*
  - I Even though they should be like Abigail (I Sam. 25:31.
  - J *He should not multiply horses to himself* (Dt. 17:16) only enough for his chariot.
  - K *Neither shall he greatly multiply to himself silver and gold* (Dt. 17:16)—only enough to pay his army.
  - L And he writes out a scroll of the Torah for himself (Dt. 17:17)—
  - M When he goes to war, he takes it out with him; when he comes back, he brings it back with him; when he is in session in court, it is with him; when he is reclining, it is before him,
  - N as it is said, *And it shall be with him, and he shall read in it all the days of his life* (Dt. 17:19).
- **2:5** A [Others may] not (1) ride on his horse, (2) sit on his throne, (3) handle his sceptre.
  - B And [others may] (4) not watch him while he is getting a haircut, or (5) while he is nude, or (6) in the bathhouse,

C since it is said, *You shall surely set him as king over you* (Dt. 17:15)—that reverence for him will be upon you.

3:1		А	Property cases are [decided] by three [judges] [M. 1:1A].	
	Ι	В	This litigant chooses one [judge], and that litigant chooses one [judge], and then the two of the [litigants] choose one more," the words of R. Meir.	
		С	And sages say, "The two judges choose one more."	
	II	D	"This party has the right to invalidate the judge chosen by that one, and that party has the right to invalidate the judge chosen by this one," the words of R. Meir.	
		Е	And sages say, "Under what circumstances?	
		F	"When he brings evidence about them, that they are relatives or otherwise invalid.	
		G	"But if they are valid [judges] or experts, he has not got the power to invalidate them."	
	III	Н	"This party invalidates the witnesses brought by that one, and that party invalidates the witnesses brought by this one," the words of R. Meir.	
		Ι	And sages say, "Under what circumstances?	
		J	"When he brings evidence about them, that they are relatives or otherwise invalid.	
		K	"But if they are valid [to serve as witnesses], he has not got the power to invalidate	
			them."	
3:2	IV	А	[If] he said to him, "If one litigant said to the other, 'I accept my father as reliable,' 'I accept your father as reliable,' 'I accept as reliable three herdsmen [to serve as judges],' "—	
		В	R. Meir says, "He has the power to retract."	
		Ĉ	And sages say, "He has not got the power to retract."	
	V	D	[If] one owed an oath to this fellow, and his fellow said, "[Instead of an oath], take a vow to me by the life of your head,"	
		Е	R. Meir says, "He has the power to retract."	
		F	And sages say, "He has not got the power to retract."	
3:3	А	And	these are those who are invalid [to serve as witnesses or judges]:	
5.5	B		e who plays dice; (2) he who loans money on interest; (3) those who race pigeons; (4)	
	D	and those who do business in the produce of the Seventh Year.		
	С		R. Simeon, "In the beginning they called them, 'Those who gather Seventh Year	
	v		uce.' When oppressors became many [who collected taxes in the Seventh Year], they	
	1		ted to calling them, 'Those who do business in the produce of the Seventh Year.' "	

- D Said R. Judah, "Under what circumstances? When [the aforenamed (B)] have only that as their profession. But if they have a profession other than that, they are valid [to serve as witnesses or judges]."
- **3:4** A And these are relatives [prohibited from serving as one's witnesses or judges]: (1) one's father, (2) brother, (3) father's brother, (4) mother's brother, (5) sister's husband, (6) father's sister's husband, (7) mother's sister's husband, (8) mother's husband, (9) father-in-law, and (10) wife's sister's husband—
  - B they, their sons, and their sons-in-law;
  - C but the stepson only [but not the stepson's offspring].
  - D Said R. Yose, "This is the version of R. Aqiba. But the earlier version [is as follows]:

- E "His uncle, the son of his uncle [Lev. 25:49] and anyone who stands to inherit him [M. B.B. 8:1]."
- F And anyone who is related to him at that time.
- [If] one was a relative but ceased to be related, lo, that person is valid. G
- R. Judah says, "Even if his daughter died, if he has sons from her, lo, [the son-in-law] is Η deemed a relative."
- 3:5 А "One known to be a friend and one known to be an enemy —
  - "one known to be a friend—this is the one who served as his groomsman; В
  - "one known to be an enemy—this is one who has not spoken with him for three days by С reason of outrage."
  - They said to [Judah], "Israelites are not suspect for such a factor." D
- How do they test the witnesses? А
  - They bring them in and admonish them. В
  - С Then they take all of them out and keep back the most important of the group.
  - And they say to him, "Explain: How do you know that this one is liable to that D one."
  - If he said, "He told me, 'I owe him,' 'So-and-so told me that he owes him,' " he E has said nothing whatsoever,
  - F unless he says, "In our presence he admitted to him that he owes him two hundred *zuz.*"
  - G And afterward they bring in the second and test him in the same way.
  - If their testimony corresponds, they discuss the matter. Η
  - [If] two [judges] say, "He is innocent," and one says, "He is guilty," he is innocent. Ι Ι
  - [If] two say, "He is guilty," and one says, "He is innocent," he is guilty. Π J
  - [If] one says, "He is innocent," and one says, "He is guilty,"-III Κ
    - or even if two declare him innocent and two declare him guilty-L
    - but one of them says, "I don't know," Μ
    - they have to add to the judges. Ν
- 3:7 [When] they have completed the matter, they bring them back in. А
  - The chief judge says, "Mr. So-and-so, you are innocent," "Mr. So-and-so, you are guilty." В
  - Now how do we know that when one of the judges leaves [the court], he may not say, "I С think he is innocent, but my colleagues think he is guilty, so what can I do? For my colleagues have the votes!"
  - D Concerning such a person, it is said, You shall not go up and down as a talebearer among your people (Lev. 19:16).
  - E And it is said, *He who goes about as a talebearer and reveals secrets*, *[but he that is* faithful conceals the matter] (Prov. 11:13).
- 3:8 So long as [a litigant] brings proof, he may reverse the ruling. Ι А
  - [If] they had said to him, "All the evidence which you have, bring between this date В and thirty days from now,"
  - С [If] he found evidence during the thirty-day period, he may reverse the ruling.
  - [If he found evidence] after the thirty-day period, he may not reverse the ruling. D
  - Said Rabban Simeon b. Gamaliel, "What should this party do, who could not find E the evidence during the thirty-day period, but found it after thirty days?"

- II F [If] they had said to him, "Bring witnesses,"
  - G and he said, "I don't have witnesses,"
  - H [if] they had said, "Bring proof,"
  - I and he said, "I don't have proof"
  - J and after a time he brought proof, or he found witnesses—
  - K this is of no weight whatsoever.
  - L Said Rabban Simeon b. Gamaliel, "What should this party do, who did not even know that he had witnesses on his side, but found witnesses? Or who did not even know that he had proof, but who found proof?"
- III M [If] they had said to him, "Bring witnesses.
  - N and he said "I have no witnesses,"
  - O "Bring proof," and he said, "I have no proof,"
  - P [If] he saw that he would be declared liable in court and said, "Let Mr. So-and-so and Mr. Such-and-such [now] come along and give evidence in my behalf,"
  - Q or if [on the spot] he brought proof out of his pocket—
  - R lo, this is of no weight whatsoever.
- **4:1** A All the same are property cases and capital cases as to examination and interrogation [of witnesses],
  - B as it is said, *You will have one* law (Lev. 24:22).
  - C What is the difference between property cases and capital cases?
  - D (1) Property cases [are tried] by three [judges], and capital cases by twenty-three.
  - E (2) In property cases they begin [argument] with the case either for acquittal or for conviction, while in capital cases they begin only with the case for acquittal, and not with the case for conviction.
  - F (3) In property cases they decide by a majority of one, whether for acquittal or for conviction, while in capital cases they decide by a majority of one for acquittal, but only with a majority of two [judges] for conviction.
  - G (4) In property cases they reverse the decision whether in favor of acquittal or in favor of conviction, while in capital cases they reverse the decision in favor of acquittal, but they do not reverse the decision in favor of conviction.
  - H (5) In property cases all [judges and even disciples] argue either for acquittal or conviction. In capital cases all argue for acquittal, but all do not argue for conviction.
  - I (6) In property cases one who argues for conviction may argue for acquittal, and one who argues for acquittal may also argue for conviction. In capital cases the one who argues for conviction may argue for acquittal, but the one who argues for acquittal has not got the power to retract and to argue for conviction.
  - J (7) In property cases they try the case by day and complete it by night. In capital cases, they try the case by day and complete it [by] day.
  - K (8) In property cases they come to a final decision on the same day [as the trial itself], whether it is for acquittal or conviction. In capital cases they come to a final decision for acquittal on the same day, but on the following day for conviction.
  - L (Therefore they do not judge [capital cases] either on the eve of the Sabbath or on the eve of a festival.
- **4:2** A (9) In cases involving questions of uncleanness and cleanness they begin [voting] from the eldest. In capital cases they begin from the side [with the youngest].
  - B (10) All are valid to engage in the judgment of property cases, but all are not valid to engage in the judgment of capital cases,

- C except for priests, Levites, and Israelites who are suitable to marry into the priesthood.
- **4:3** A The sanhedrin was [arranged] in the shape of a half of a round threshing floor [that is, as an amphitheater],
  - B so that [the judges] should see one another.
  - C And two judges' clerks stand before them, one at the right and one at the left.
  - D And they write down the arguments of those who vote to acquit and of those who vote to convict.
  - E R. Judah says, "Three: one writes the opinion of those who vote to acquit, one writes the opinion of those who vote to convict, and the third writes the opinions both of those who vote to acquit and of those who vote to convict."
- **4:4** A And three rows of disciples of sages sit before them.
  - B Each and every one knows his place.
  - C [If] they found need to ordain [a disciple to serve on the court],
  - D they ordained one who was sitting in the first row.
  - E [Then] one who was sitting in the second row joins the first row, and one who was sitting in the third row moves up to the second row.
  - F And they select for themselves someone else from the crowd and set him in the third row.
  - G [The new disciple] did not take a seat in the place of the first party [who had now joined in the court] but in the place that was appropriate for him [at the end of the third row].
- **4:5** A How do they admonish witnesses in capital cases?
  - B They would bring them in and admonish them [as follows]: "Perhaps it is your intention to give testimony (1) on the basis of supposition, (2) hearsay, or (3) of what one witness has told another;
  - C "[or you may be thinking], 'We heard it from a reliable person.'
  - D "Or, you may not know that in the end we are going to interrogate you with appropriate interrogation and examination.
  - E "You should know that the laws governing a trial for property cases are different from the laws governing a trial for capital cases.
  - F "In the case of a trial for property cases, a person pays money and achieves atonement for himself. In capital cases [the accused's] blood and the blood of all those who were destined to be born from him [who was wrongfully convicted] are held against him [who testifies falsely] to the end of time.
  - G "For so we find in the case of Cain who slew his brother, as it is said, *The bloods of your brother cry* (Gen. 4:10).
  - H "It does not say, 'The *blood* of your brother,' but, 'The *bloods* of your brother'—his blood and the blood of all those who were destined to be born from him."
  - I Another matter:—The *bloods of your brother*—for his blood was spattered on trees and stones.
  - J Therefore man was created alone, (1) to teach you that whoever destroys a single Israelite soul is deemed by Scripture as if he had destroyed a whole world.
  - K And whoever saves a single Israelite soul is deemed by Scripture as if he had saved a whole world.
  - L And (2) it was also for the sake of peace among people, so that someone should not say to his fellow, "My father is greater than your father."
  - M And (3) [it was also on account of the *minim*,] so that the *minim* should not say, "There are many domains in Heaven."

- N And (4) to portray the grandeur of the Holy One, blessed be He. For a person mints many coins with a single seal, and they are all alike one another. But the King of kings of kings, the Holy One, blessed be He, minted all human beings with that seal of his with which he made the first person, yet not one of them is like anyone else. Therefore everyone is obligated to maintain, "On my account the world was created."
- O Now perhaps you [witnesses] would like now to say, "What business have we got with this trouble?"
- P But it already has been written, *He being a witness, whether he has seen or known, if he does not speak it, then he shall bear his iniquity* (Lev. 5:1).
- Q And perhaps you might want to claim, "What business is it of ours to convict this man of a capital crime?"
- R But has it not already been said, *When the wicked perish there is rejoicing* (Prov. 11:10).
- **5:1** A They interrogated [the witnesses] with seven points of interrogation:
  - B (1) In what septannate? (2) In what year? (3) In what month? (4) On what day of the month? (5) On what day [of the week]? (6) At what time? (7) In what place?
  - C R. Yose says, "(1) On what day? (2) At what time? (3) In what place? (4) Do you know him? (5) Did you warn him [of the consequences of his deed]?"
  - D [In the case of] one who worships an idol: Whom did he worship, and with what did he worship [the idol]?
- 5:2 A The more they expand the interrogation, the more is one to be praised.
  - B M'SH B: Ben Zakkai examined a witness as to the character of the stems of figs [under which the incident took place].
  - C What is the difference between interrogation and examination?
  - D In the case of interrogation, [if] one witness says, "I don't know the answer," the testimony of the witnesses is null.
  - E [In the case of] examination, [if] one of the witnesses says, "I don't know," or even if both of them say, "We don't know," their testimony nonetheless stands.
  - F All the same are interrogation and examination: When [the witnesses] contradict one another, their testimony is null.
- **5:3** I A [If] one [of the witnesses] says, "It was on the second of the month," and one of the witnesses says, "It was on the third of the month," their testimony stands,
  - B for one of them may know about the intercalation of the month, and the other one may not know about the intercalation of the month.
  - II C [If] one of them says, "On the third," and one of them says, "On the fifth," their testimony is null.
  - III D [If] one of them says, "At two," and one of them says, "At three," their testimony stands.
  - IV E [If] one of them says, "At three," and one of them says, "At five," their testimony is null.
    - F R. Judah says, "It stands."
  - V G [If] one of them says, "At five," and one of them says, "At seven," their testimony is null.
    - H For at five the sun is at the east, and at seven the sun is at the west.
- **5:4** A And afterward they bring in the second [witness] and examine him.

- B If their statements correspond, they begin [the argument] in favor of acquittal.
- C [If] one of the witnesses said, "I have something to say in favor of acquittal,"
- D or [If] one of the disciples said, "I have something to say in favor of conviction,"
- E they shut him up.
- F [If] one of the disciples said, "I have something to say in favor of acquittal," they promote him and seat him among the [judges], and he did not go down from that position that entire day.
- G If there is substance in what he says, they pay attention to him.
- H And even if [the accused] said, "I have something to say in my own behalf," they pay attention to him,
- I so long as there is substance in what he has to say.
- **5:5** A If they found him innocent, they sent him away. If not, they postpone judging him till the next day.
  - B They would go off in pairs and would not eat very much or drink wine that entire day, and they would discuss the matter all that night.
  - C And the next day they would get up and come to court.
  - D The one who favors acquittal says, "I declared him innocent [yesterday], and I stand my ground and declare him innocent today."
  - E And the one who declares him guilty says, "I declared him guilty [yesterday] and I stand my ground and declare him guilty today."
  - F The one who argues in favor of guilt may [now] argue in favor of acquittal, but the one who argues in favor of innocence may not now go and argue in favor of guilt.
  - G [If] they made an error in some matter, the two judges' clerks remind them [of what had been said].
  - H If they now found him innocent, they send him off.
  - I And if not, they arise for a vote.
  - J [If] twelve vote for acquittal and eleven vote for conviction, he is acquitted.
  - K [If] twelve vote for conviction and eleven vote for acquittal,
  - L and even if eleven vote for acquittal and eleven vote for conviction,
  - M but one says, "I have no opinion,"
  - N and even if twenty-two vote for acquittal or vote for conviction,
  - O but one says, "I have no opinion,"
  - P they add to the number of the judges.
  - Q How many do they add? Two by two, until there are seventy-one.
  - R [If] thirty-six vote for acquittal and thirty-five vote for conviction, he is acquitted.
  - S [If] thirty-six vote for conviction and thirty-five vote for acquittal, they debate the matter, until one of those who votes for conviction accepts the arguments of those who vote for acquittal.
- **6:1** A [When] the trial is over, [and the felon is convicted], they take him out to stone him.
  - B The place of stoning is well outside the court, as it is said, *Bring forth him who cursed to a place outside the camp* (Lev. 24:14).
  - C One person stands at the door of the courthouse, with flags in his hand, and a horseman is some distance from him, so that he is able to see him.
  - D [If] one of the judges said, "I have something to say in favor of acquittal," the one at the door waves the flags, and the horseman races off and stops [the execution].
  - E And even if [the convicted party] says, "I have something to say in favor of my own acquittal," they bring him back,

- F even four or five times,
- G so long as there is substance in what he has to say.
- H [If] they then found him innocent, they dismiss him.
- I And if not, he goes out to be stoned.
- J And a herald goes before him, crying out, "Mr. So-and-so, son of Mr. So-and-so, is going out to be stoned because he committed such-and-such a transgression, and Mr. So-and-so and Mr. So-and-so are the witnesses against him. Now anyone who knows grounds for acquittal—let him come and speak in his behalf!"
- **6:2** A [When] he was ten cubits from the place of stoning, they say to him, "Confess," for it is usual for those about to be put to death to confess.
  - B For whoever confesses has a share in the world to come.
  - C For so we find concerning Achan, to whom Joshua said *My son, I pray you, give glory to the Lord, the God of Israel, and confess to him, [and tell me now what you have done: hide it not from me.] And Achan answered Joshua and said, Truly have I sinned against the Lord, the God of Israel, and thus and thus I have done* (Josh. 7:19). And how do we know that his confession achieved atonement for him? For it is said, *And Joshua said, Why have you troubled us? The Lord will trouble you this day* (Josh. 7:25)—*This day* the Lord will trouble you, but you will not be troubled in the world to come.
  - D And if he does not know how to confess, they say to him, "Say as follows: 'Let my death be atonement for all of my transgressions.' "
  - E R. Judah says, "If he knew that he had been subjected to perjury, he says, 'Let my death be atonement for all my sins, except for this particular sin [of which I have been convicted by false testimony]!"
  - F They said to him, "If so, then everyone is going to say that, so as to clear themselves."
- **6:3** A [When] he was four cubits from the place of stoning, they remove his clothes.
  - B "In the case of a man, they cover him up in front, and in the case of a woman, they cover her up in front and behind," the words of R. Judah.
    - C And sages say, "A man is stoned naked, but a woman is not stoned naked."
- **6:4** A The place of stoning was twice the height of a man.
  - B One of the witnesses pushes him over from the hips, so [hard] that he turned upward [in his fall].
  - C He turns him over on his hips again [to see whether he had died].
  - D [If] he had died thereby, that sufficed.
  - E If not, the second [witness] takes a stone and puts it on his heart.
  - F [If] he died thereby, it sufficed.
  - G And if not, stoning him is [the duty] of all Israelites, as it is said, *The hand of the witnesses shall be first upon him to put him to death, and afterward the hand of all the people* (Dt. 17:7).
  - H "All those who are stoned are hanged on a tree [afterward]," the words of R. Eliezer.
  - I And sages say, "Only the blasphemer and the one who worships an idol are hanged."
  - J "As to a man, they hang him facing the people, and as to a woman, her face is toward the tree," the words of R. Eliezer.
  - K And sages say, "The man is hanged, but the woman is not hanged."
  - L Said to them R. Eliezer, "And did not Simeon b. Shatah hang women in Ashkelon?"
  - M They said to him, "He hanged eighty women, and they do not judge even two on a single day!"

- N How do they hang him?
- O They drive a post into the ground, and a beam juts out from it, and they tie together his two hands, and thus do they hang him.
- P R. Yose says, "The post leans against a wall, and then one suspends him the way butchers do it."
- Q And they untie him forthwith.
- R And if he is left overnight, one transgresses a negative commandment on his account, as it is said, *His body shall not remain all night on the tree, but you will surely bury him on the same day, for he who is hanged is a curse against God* (Dt. 21:23)
- S That is to say, On what account has this one been hanged? Because he cursed the Name, so the Name of Heaven turned out to be profaned.
- **6:5** A Said R. Meir, "When a person is distressed, what words does the Presence of God say? As it were: 'My head is in pain, my arm is in pain.'
  - B "If thus is the Omnipresent distressed on account of the blood of the wicked when it is shed, how much the more so on account of the blood of the righteous!"
  - C And not this only, but whoever allows his deceased to stay unburied over—night transgresses a negative commandment.
  - D But [if] one kept [a corpse] overnight for its own honor, [for example,] to bring a bier for it and shrouds, he does not transgress on its account.
  - E And they did not bury [the felon] in the burial grounds of his ancestors.
  - F But there were two graveyards made ready for the use of the court, one for those who were beheaded or strangled, and one for those who were stoned or burned.
- **6:6** A When the flesh had rotted, they [then do] collect the bones and bury them in their appropriate place.
  - B And the relatives [of the felon] come and inquire after the welfare of the judges and of the witnesses,
  - C as if to say, "We have nothing against you, for you judged honestly."
  - D And they did not go into mourning.
  - E But they observe a private grief, for grief is only in the heart.
- 7:1 A Four modes of execution were given over to the court [in order of severity]:
  - B (1) stoning, (2) burning, (3) decapitation, and (4) strangulation.
  - C R. Simeon says, "(2) Burning, (1) stoning, (4) strangulation, and (3) decapitation" [M. 9:3]
  - I D This [which has been considered in Chapter Six] is how the religious requirement of stoning is carried out.
- **7:2** II A The religious requirement of burning [is carried out as follows]:
  - B They would bury him in manure up to his armpits, and put a towel of hard material inside one of soft material, and wrap it around his neck.
  - C This [witness] pulls it to him from one side, and that [witness] pulls it to him at the other side, until he opens up his mouth.
  - D And one kindles a wick [B. San. 52a: a strip of lead] and throws it into his mouth, and it goes down into his bowels and burns his intestines.

- E R. Judah says, "Also this one: if he died at their hands [through strangulation], they will not have carried out the religious requirement of burning [in the proper manner].
- F "But: They open his mouth with tongs, against his will, kindle a wick, and throw it into his mouth, and it goes down into his bowels and burns his intestines."
- Said R. Eleazar b. Sadoq, "M'SH B: The daughter of a priest committed adultery. G
- "And they put bundles of twigs around her and burned her." Η
- Ι They said to him, "It was because the court of that time was not expert [in the law]."
- 7:3 Ш The religious requirement of decapitation [is carried out as follows]: А
  - They would cut off his head with a sword, В
  - С just as the government does.
  - R. Judah says, "This is disgusting. D
  - "But they put his head on a block and chop it off with an ax." E
  - They said to him, "There is no form of death more disgusting than this one." F
  - IV G The religious requirement of strangulation [is carried out as follows:]
    - Η They would bury him in manure up to his armpits, and put a towel of hard material inside one of soft material, and wrap it around his neck.
    - Ι This [witness] pulls it to him from one side, and that witness pulls it to him at the other side.
    - until he perishes. J
- 7:4 A These are [the felons] who are put to death by stoning:
  - В He who has sexual relations with (1) his mother, (2) with the wife of his father, (3) with his daughter-in-law, (4) with a male, and (5) with a cow;
  - С (6) and the woman who brings an ox on top of herself;
  - D and (1) he who blasphemes, (2) he who performs an act of worship for an idol, (3) he who gives of his seed to Molech, (4) he who has a familiar spirit, and (5) he who is a soothsayer;
  - E he who profanes the Sabbath,
  - he who curses his father or his mother, F
  - G he who has sexual relations with a betrothed maiden,
  - Η he who beguiles [others to idolatry], and he who leads [a whole town to idolatry],
  - Ι a sorcerer,
  - J and a stubborn and incorrigible son.
  - He who has sexual relations with his mother is liable on her account because of her Κ Ι being his mother and because of her being his father's wife [Lev. 18:6–7, 20:11].
    - R. Judah says, "He is liable only on account of her being his mother alone." L
  - Π Μ He who has sexual relations with his father's wife is liable on her account because of her being his father's wife and because of her being a married woman,
    - whether this is in the lifetime of his father or after the death of his father, Ν
    - 0 whether she is only betrothed or already married [to the father].
  - III Р He who has sexual relations with his daughter-in-law is liable on her account because of her being his daughter-in-law and because of her being another man's wife.
    - whether this is in the lifetime of his son or after the death of his son [Lev. 20:12], Q
    - R whether she is only betrothed or already married [to the son].

- S He who has sexual relations with a male [Lev. 20:13, 15–16], or a cow, and the woman who brings an ox on top of herself—
- T if the human being has committed a sin, what sin has the beast committed?
- U But because a human being has offended through it, therefore the Scripture has said, *Let it be stoned*.
- V Another matter: So that the beast should not amble through the marketplace and people say, "This is the one on account of which Mr. So-and-so got himself stoned."
- **7:5** A *He who blasphemes* [M. 7:4D1] [Lev. 24:10] is liable only when he will have fully pronounced the divine Name.
  - B Said R. Joshua b. Qorha, "On every day of a trial they examine the witnesses with a substituted name, [such as], 'May Yose smite Yose."
  - C "[Once] the trial is over, they would not put him to death [on the basis of evidence given] with the euphemism, but they put out everyone and ask the most important of the witnesses, saying to him, 'Say, what exactly did you hear [in detail]?'
  - D "And he says what he heard.
  - E "And the judges stand on their feet and tear their clothing, and never sew them back up.
  - F "And the second witness says, 'Also I [heard] what he heard.'
  - G "And the third witness says, 'Also I [heard] what he heard.' "
- **7:6** A *He who performs an act of worship for an idol* [M. 7:4D2]—
  - B all the same are the one who (1) performs an act of service, who (2) actually sacrifices, who (3) offers up incense, who (4) pours out a libation offering, who (5) bows down,
  - C and the one who (6) accepts it upon himself as a god, saying to it, "You are my god."
  - D But the one who (1) hugs it, (2) kisses it, (3) polishes it, (4) sweeps it, and (5) washes it,
  - E (1) anoints it, (2) puts clothing on it, and (3) puts shoes on it, [merely] transgresses a negative commandment [Ex. 20:5].
  - F He who takes a vow in its name, and he who carries out a vow made in its name transgress a negative commandment [Ex. 23:13].
  - G He who uncovers himself to Baal Peor—[he is stoned, for] this is how one performs an act of service to it.
  - H He who tosses a pebble at Merkolis [Hermes] [is stoned, for] this is how one performs an act of service to it.
- **7:7** A *He who gives of his seed to Molech* [M. 7:4D3] [Lev. 20:2] is liable only when he will both have given him to Molech and have passed him through fire,
  - B [If] he gave him to Molech but did not pass him through fire,
  - C passed him through fire but did not give him to Molech,
  - D he is not liable—
  - E until he will both have given him to Molech and have passed him through fire.
  - F *He who has a familiar spirit* [M. 7:4D4] (Lev. 20:27)—this is one who has a Python which speaks from his armpits;
  - G and he who is a soothsayer [M. 7:4D5]—this is one whose [spirit] speaks through his mouth—
  - H lo, these are put to death by stoning.
  - I And the one who makes inquiry of them is subject to a warning [Lev. 19:31, Dt. 18:10–11].

- **7:8** A *He who profanes the Sabbath* [M. 7:4E]— in regard to a matter, on account of the deliberate doing of which they are liable to extirpation, and on account of the inadvertent doing of which they are liable to a sin offering.
  - B *He who curses his father and his mother* [M. 7:4F] is liable only when he will have cursed them by the divine Name.
  - C [If] he cursed them with a euphemism,
  - D R. Meir declares him liable.
  - E And sages declare him exempt.
- **7:9** A *He who has sexual relations with a betrothed maiden* [M. 7:4G] [Dt. 22:23–24] is liable only if she is a virgin maiden, betrothed, while she is yet in her father's house.
  - B [If] two different men had sexual relations with her, the first one is put to death by stoning, and the second by strangulation.
- **7:10** A *He who beguiles others to idolatry* [M. 7:4H]— this [refers to] an ordinary fellow who beguiles some other ordinary fellow.
  - B [If] he said to him, "There is a god in such a place, who eats thus, drinks thus, does good in one way, and harm in another"—
  - C against all those who are liable to the death penalty in the Torah they do not hide witnesses [for the purposes of entrapment] except for this one.
  - D [If] he spoke [in such a way] to two, and they serve as witnesses against him,
  - E they bring him to court and stone him.
  - F [If] he spoke [in such a way] to [only] one person, [the latter then] says to him, "I have some friends who will want the same thing."
  - G If he was clever and not prepared to speak in [the friends'] presence,
  - H they hide witnesses on the other side of the partition,
  - I and he says to him, "Tell me what you were saying to me now that we are by ourselves."
  - J And the other party says to him [what he had said], and then this party says, "Now how are we going to abandon our God who is in Heaven and go and worship sticks and stones?"
  - K If he repents, well and good.
  - L But if he said, "This is what we are obligated to do, and this is what is good for us to do,"
  - M those who stand on the other side of the partition bring him to court and stone him.
  - N [*He who beguiles others* is] one who says, "I am going to worship, "I shall go and worship," "Let's go and worship," "I shall make an offering," "I shall go and make an offering," "Let's go and make an offering," "I shall offer incense," "I shall go and offer incense," "Let's go and offer incense," "I shall make a libation," "I shall go and make a libation," "Let's go and make a libation," "I shall go and bow down," "I shall go and bow down," "Let's go and bow down."
  - O *He who leads [a whole town astray]* [M. 10:4H] is one who says, "Let's go and perform an act of service to an idol."
- **7:11** A *The sorcerer* [M. 7:4I]—he who does a deed is liable,
  - B but not the one who merely creates an illusion.
  - C R. Aqiba says in the name of R. Joshua, "Two may gather cucumbers. One gatherer may be exempt, and one gatherer may be liable.
  - D "[Likewise]: He who does a deed is liable, but he who merely creates an illusion is exempt."

- **8:1** A A rebellious and incorrigible son [M. 7:4J]—
  - B At what point [does a child] become liable to be declared a rebellious and incorrigible son?
  - C From the point at which he will produce two pubic hairs, until the 'beard' is full—
  - D the lower [pubic], not the upper [facial] beard, but the sages used euphemisms.
  - E As it is said, *If a man has a son* (Dt. 21:18)—(1) a son, not a daughter; (2) a son, not an adult man.
  - F And a minor is exempt, since he has not yet entered the scope of the commandments.
- 8:2 A At what point is he liable?

Ι

8:3

- B Once he has eaten a *tartemar* of meat and drunk a half-*log* of Italian wine.
- C R. Yose says, "A *mina* of meat and a *log* of wine."
- D (1) [If] he ate in an association formed for a religious duty,
  - E (2) [if] he ate on the occasion of the intercalation of the month,
  - F (3) [if] he ate food in the status of second tithe in Jerusalem,
  - G (4) [if] he ate carrion and *terefah* meat, forbidden things or creeping things,
  - H (5) [if] he ate untitled produce, first title, the heave offering of which had not been removed, second title or consecrated food which had not been redeemed [by money],
  - I (6) [if] he ate something which fulfilled a religious duty or committed a transgression,
  - J [if] he ate any sort of food except meat, drank any sort of liquid except wine—
  - K he is not declared a rebellious and incorrigible son—
  - L unless he eats meat and drinks wine,
  - M since it is said, A *glutton and a drunkard* (Dt. 21:20).
  - N And even though there is no clear proof for the proposition, there is at least a hint for it,
  - O for it is said, *Do not be among the wine-drinkers, among gluttonous meateaters* (Prov. 23:20).
- II A [If] he stole something belonging to his father but ate it in his father's domain,
  - B or something belonging to others but ate it in the domain of those others,
  - C or something belonging to others but ate it in his father's domain,
  - D he is not declared a rebellious and incorrigible son—
  - E until he steals something of his father's and eats it in the domain of until he steals something belonging to others.
  - F R. Yose b. R. Judah says, his father *and his mother*"
- 8:4 III A [If] his father wanted [to put him to judgment as a rebellious and incorrigible son] but his mother did not want to do so,
  - B [if] his father did not want and his mother did want [to put him to judgment],
  - C he is not declared a rebellious and incorrigible son—
  - D until both of them want [to put him to judgment].
  - E R. Judah says, "If his mother was unworthy of his father, he is not declared to be a rebellious and incorrigible son."
  - F [If] one of them was (1) maimed in the hand, (2) lame, (3) dumb, (4) blind, or (5) deaf,
  - G he is not declared a rebellious and incorrigible son,
  - H since it is said, *Then his father and his mother will lay hold of him* (Dt. 21:20)—so they are not (1) maimed in their hands;

- Ι and bring him out—(2) so they are not lame;
- and they shall say-(3) so they are not dumb; J
- "This is our son"—(4) so they are not blind; Κ
- *"He will not obey our voice"*(5) so they are not deaf. L
- They warn him before three [judges] and flog him. Μ
- Ν [If] he misbehaved again, he is judged before twenty-three [judges].
- He is stoned only if there will be present the first three [judges], since it is said, 0 This, our son-this one who was flogged before you.
- Р [If] he fled before his trial was over, and afterward [while he was a fugitive,] the lower 'beard' became full, he is exempt.
- Q If after his trial was done he fled, and afterward the lower beard became full, he is liable.
- A A rebellious and incorrigible son is tried on account of [what he may] end up to be.
  - Let him die while yet innocent, and let him not die when he is guilty. В
  - С For when the evil folk die, it is a benefit to them and a benefit to the world.
  - D But [when the] righteous folk [die], it is bad for them and bad for the world.
  - Π Е Wine and sleep for the wicked are a benefit for them and a benefit for the world.
  - F But for the righteous, they are bad for them and bad for the world.
  - Ш G Dispersion for the evil is a benefit for them and a benefit for the world.
  - But for the righteous, it is bad for them and bad for the world. Η
  - IV Ι Gathering together for the evil is bad for them and bad for the world.
  - J But for the righteous, it is a benefit for them and a benefit for the world. V
    - Κ Tranquillity for the evil is bad for them and bad for the world.
      - L But for the righteous, it is a benefit for them and a benefit for the world.
- 8:6 He who breaks in [Ex. 22:1] is judged on account of what he may end up to be. А
  - [If] he broke in and broke a jug, if bloodguilt applies to him, he is liable. В
    - С If bloodguilt does not apply to him, he is exempt.
- 8:7 А And these are those who are to be saved [from doing evil] even at the cost of their lives:
  - he who pursues after (1) his fellow in order to kill them-В
  - С after (2) a male, or after (3) a betrothed girl;
  - D but he (1) who pursues a beast, he (2) who profanes the Sabbath, he (3) who does an act of service to an idol-they do not save them even at the cost of their lives.
- 9:1 А And these are those who are put to death through burning:
  - В (1) he who has sexual relations with both a woman and her daughter [Lev. 18:17, 20:14], and (2) a priest's daughter who committed adultery [Lev. 21:9].
  - С In the same category as a woman and her daughter are [the following]: (1) his daughter, (2) his daughter's daughter, (3) his son's daughter, (4) his wife's daughter, (5) the daughter of her daughter, (6) the daughter of her son, (7) his mother-in-law, (8) the mother of his mother-in-law, and (9) the mother of his father-in-law.
  - D And these are those who are put to death through decapitation:
  - Ε (1) the murderer, and (2) the townsfolk of an apostate town [M. 10:4ff.].
  - F A murderer who hit his neighbor with a stone or a piece of iron [Ex. 21:18],
  - G or who pushed him under the water or into the fire, and [the other party] cannot get out of there and so perished—

Ι

- H he is liable.
- I [If] he pushed him into the water or into the fire, and he can get out of there but [nonetheless] he died, he is exempt.
- J [If] he incited a dog to attack him, or incited a snake to attack him, he is exempt.
- K [If] he made a snake bite him,
- L R. Judah declares him liable.
- M And sages declare him exempt.
- N He who hits his fellow, whether with a stone or with his fist,
- O and they diagnosed him as likely to die,
- P but he got better than he was,
- Q and afterward he got worse and he died—
- R he is liable.

Ι

- S R. Nehemiah says, "He is exempt,
- T "for there is a basis to the matter [of thinking that he did not die from the original injury]."
- A [If] he intended to kill a beast and killed a man,
  - B a gentile and killed an Israelite,
  - C an untimely birth and killed an offspring that was viable,
  - D he is exempt.
  - E [If] he intended to hit him on his loins with a blow that was not sufficient to kill him when it struck his loins, but it hit his heart, and there was sufficient force in that blow to kill him when it struck his heart, and he died,
    - F he is exempt.
    - G [If] he intended to hit him on his heart, and there was in that blow sufficient force to kill when it struck his heart, and it hit him on his loins, and there was not sufficient force in that blow to kill him when it struck his loins, but he died,
    - H he is exempt.
- II [If] he intended to hit a large person, and there was not sufficient force in that blow to kill a large person, but it hit a small person, and there was sufficient force in that blow to kill a small person, and he died,
  - J he is exempt.
  - K [If] he intended to hit a small person, and there was in that blow sufficient force to kill a small person, and it struck the large person, and there was not sufficient force in that blow to kill the large person, but he died,
  - L he is exempt.
- III M But: [if] he intended to hit him on his loins, and there was sufficient force in the blow to kill him when it struck his loins, and it hit him on his heart and he died, he is liable.
  - O [If] he intended to hit a large person, and there was in that blow sufficient force to bill the large person and the diad
    - kill the large person, and it hit a small person and he died,
  - P he is liable.
  - Q R. Simeon says, "Even if he intended to kill this party, and he actually killed some other party, he is exempt."
- **9:3** A Murderer who was mixed up with others—all of them are exempt.
  - B R. Judah says, "They put them all in prison."
  - C All those who are liable to death who were mixed up with one another are judged [to be punished] by the more lenient mode of execution.
  - D [If] those to be stoned were confused with those to be burned—

- E R. Simeon says, "They are judged [to be executed] by stoning, for burning is the more severe of the two modes of execution."
- F And sages say, "They are adjudged [to be executed] by burning, for stoning is the more severe mode of execution of the two."
- G Said to them R. Simeon, "If burning were not the more severe, it would not have been assigned to the daughter of a priest who committed adultery."
- H They said to him, "If stoning were not the more severe of the two, it would not have been assigned to the blasphemer and to the one who performs an act of service for idolatry."
- I Those who are to be decapitated who were confused with those who are to be strangled—
- J R. Simeon says, "They are killed with the sword."
- K And sages say, "They are killed by strangling."
- **9:4** A He who is declared liable to be put to death through two different modes of execution at the hands of a court is judged [to be executed] by the more severe.
  - B [If] he committed a transgression which is subject to the death penalty on two separate counts, he is judged on account of the more severe.
  - C R. Yose says, "He is judged by the penalty which first applies to what he has done."
- 9:5 I A He who was flogged [and did the same deed] and was flogged again B [if he did it yet a third time] the court puts him in prison and feeds him barley until his belly explodes.
  - II C He who kills a someone not before witnesses—they put him in prison and feed him *the bread of adversity and the water of affliction* (Is. 30:20).
- **9:6** III A He who stole a sacred vessel [of the cult (Num. 4:7)], and he who curses using the name of an idol, and he who has sexual relations with an Aramaean woman— B zealots beat him up [on the spot (Num. 25:8, (11)].
  - IV C A priest who performed the rite in a state of uncleanness—
    - D his brothers, the priests, do not bring him to court.
      - E But the young priests take him outside the courtyard and break his head with clubs.
    - F A non-priest who served in the Temple—
      - G R. Aqiba says, "[He is put to death] by strangling [Num. 18:7]."
      - H And sages say, "[He is put to death] at the hands of Heaven."

**10:1** A All Israelites have a share in the world to come,

V

- B as it is said, Your people also shall be all righteous, they shall inherit the land forever; the branch of my planting, the work of my hands, that I may be glorified (Is. 60:21).
- C And these are the ones who have no portion in the world to come:
- D (1) He who says, the resurrection of the dead is a teaching which does not derive from the Torah, (2) and the Torah does not come from Heaven; and (3) an Epicurean.
- E R. Aqiba says, "Also: He who reads in heretical books,
- F "and he who whispers over a wound and says, *I will put none of the diseases upon you which I have put on the Egyptians, for I am the Lord who heals you* (Ex. 15:26)."
- G Abba Saul says, "Also: he who pronounces the divine Name as it is spelled out."
- **10:2** A Three kings and four ordinary folk have no portion in the world to come.
  - B Three kings: Jeroboam, Ahab, and Manasseh.
  - C R. Judah says, "Manasseh has a portion in the world to come,

- D "since it is said, And he prayed to him and he was entreated of him and heard his supplication and brought him again to Jerusalem into his kingdom (II Chron. 33:13)."
- E They said to him, "To his kingdom he brought him back, but to the life of the world to come he did not bring him back."
- F Four ordinary folk: Balaam, Doeg, Ahitophel, and Gahazi.
- **10:3** I A The generation of the flood has no share in the world to come,
  - B and they shall not stand in the judgment,
  - C since it is said, My spirit shall not judge with man forever (Gen. 6:3)—
  - D neither judgment nor spirit.
  - E The generation of the dispersion has no share in the world to come,
    - F since it is said, So the Lord scattered them abroad from there upon the face of the whole earth (Gen. 11:8).
      - G So the Lord scattered them abroad—in this world,
      - H *and the Lord scattered them from there*—in the world to come.
  - III I The men of Sodom have no portion in the world to come,
    - J since it is said, Now the men of Sodom were wicked and sinners against the Lord exceedingly (Gen. 13:13)—
      - K *Wicked*—in this world,
      - L And sinners—in the world to come.
      - M But they will stand in judgment.
      - N R. Nehemiah says, "Both these and those will not stand in judgment,
      - O "for it is said, *Therefore the wicked shall not stand in judgment, nor sinners in the congregation of the righteous* (Ps. 1:5)—
      - P *"Therefore the wicked shall not stand in judgment—this* refers to the generation of the flood.
      - Q *"Nor sinners in the congregation of the righteous—this* refers to the men of Sodom."
      - R They said to him, "They will not stand in the congregation of the righteous, but they will stand in the congregation of the sinners."
  - IV S The spies have no portion in the world to come,
    - T as it is said, *Even those men who brought up an evil report of the land died by the plague before the Lord* (Num. 14:37)—
      - U *Died*—in this world.
      - V By the plague—in the world to come.
      - W (1) "The generation of the wilderness has no portion in the world to come and will not stand in judgment,
        - X "for it is written, *In this wilderness they shall be consumed and there they shall die* (Num. 14:35)," the words of R. Aqiba.
        - Y R. Eliezer says, "Concerning them it says, *Gather my saints together to me, those that have made a covenant with me by sacrifice* (Ps. 50:5)."
        - Z (2) "The party of Korah is not destined to rise up,
        - AA "for it is written, *And the earth closed upon them*—in this world.
        - BB *"And they perished from among the assembly*—in the world to come," the words of R. Aqiba.
        - CC And R. Eliezer says, "Concerning them it says, *The Lord kills and resurrects, brings down to Sheol and brings up again* (I Sam. 2:6)."
        - DD (3) "The ten tribes are not destined to return,

v

- EE "since it is said, *And he cast them into another land, as on this day* (Dt. 29:28). Just as the day passes and does not return, so they have gone their way and will not return," the words of R. Aqiba.
- FF R. Eliezer says, "Just as this day is dark and then grows light, so the ten tribes for whom it now is dark—thus in the future it is destined to grow light for them."
- **10:4** A The townsfolk of an apostate town have no portion in the world to come,
  - B as it is said, *Certain base fellows have gone out from the midst of thee and have drawn away the inhabitants of their city* (Dt. 13:14).
  - C And they are not put to death unless (1) those who misled the [town] come from that same town and from that same tribe,
  - D and unless (2) the majority is misled,
  - E and unless (3) men did the misleading.
  - F [If] (1) women or children misled them,
  - G or if (2) a minority of the town was misled,
  - H or if (3) those who misled the town came from outside of it,
  - I lo, they are treated as individuals [and not as a whole town],
  - J and they [thus] require [testimony against them] by two witnesses, and a statement of warning, for each and every one of them.
  - K This rule is more strict for individuals than for the community:
  - L for individuals are put to death by stoning.
  - M Therefore their property is saved.
  - N But the community is put to death by the sword,
  - O Therefore their property is lost.
- **10:5** A And you shall surely smite the inhabitants of the city with the edge of the sword (Dt. 13:15)—
  - B Ass drivers, camel drivers, and people passing from place to place— lo these have the power to save it.
  - C Destroying it utterly and all that is therein and the cattle thereof, with the edge of the sword (Dt. 13:17)—
  - D On this basis they said, The property of righteous folk which happens to be located in it is lost. But that which is outside of it is saved.
  - E And as to that of evil folk, whether it is in the town or outside of it, lo, it is lost.
- **10:6** I A [Delete: As it is said,] *And you shall gather all the spoil of it into the midst of the wide place thereof* (Dt. 17:13).
  - B If it has no wide place, they make a wide place for it.
  - C [If] its wide place is outside of it, they bring it inside.
  - II D And you will burn with fire the city and all the spoil thereof, (every whit, unto the Lord your God) (Dt. 13:17).
    - E *The spoil thereof*—but not the spoil which belongs to heaven.
    - F On this basis they have said:
    - G Things which had been consecrated which are in it are to be re—deemed; heave offering left therein is allowed to rot; second tithe and sacred scrolls are hidden away.
  - III H Every whit unto the Lord your God—

- I Said R. Simeon, "Said the Holy One, blessed be He: 'If you enter into judgment in the case of an apostate city, I give credit to you as if you had offered a whole burnt offering before me.' "
- IV J And it shall be a heap for ever, it shall not be built again (Dt. 13:17).
  - K "It should not be made even into vegetable patches or orchards," the words of R. Yose the Galilean.
  - L R. Aqiba says, "*It shall not be built again—as* it was it may not be rebuilt, but it may be made into vegetable patches and orchards."
- V M And there shall cleave nought of the devoted thing to your hand [that the Lord may turn from the fierceness of his anger and show you mercy and have compassion upon you and multiply you] (Dt. 13:18)—
  - N for so long as evil people are in the world, fierce anger is in the world.
  - O When the evil people have perished from the world, fierce anger de—parts from the world.
- **11:1** A These are the ones who are to be strangled:
  - B (1) he who hits his father and his mother [Ex. 21:15]; (2) he who steals an Israelite [Ex. 21:16, Dt. 24:71; (3) an elder who defies the decision of a court, (4) a false prophet, (5) a prophet who prophesies in the name of an idol;
  - C (1) he who has sexual relations with a married woman, (2) those who bear false witness against a priest's daughter and (3) against one who has sexual relations with her.
  - D *He who hits his father and his mother* [B 1] is liable only if he will make a lasting bruise on them.
  - E This rule is more strict in the case of the one who curses than the one who hits them.
  - F For the one who curses them after they have died is liable.
  - G But the one who hits them after they have died is exempt.
  - H *He who steals an Israelite* [B 2] is liable only when he will have brought him into his own domain.
  - I R. Judah says, "Only if he will have brought him into his own domain and will have made use of him,
  - J "as it is said, And if he deal with him as a slave or sell him (Dt. 24:7)."
  - K He who steals his son—
  - L R. Ishmael, son of R. Yohanan b. Beroqah, declares him liable.
  - M And sages declare him exempt.
  - N [If] he stole someone who was half-slave and half-free—
  - O R. Judah declares him liable.
  - P And sages declare him exempt.
- **11:2** A An elder who defies the decision of a court [M. 11:1B3]—
  - B as it is said, *If there arise a matter too hard for you in judgment, between blood and blood, between plea and plea* (Dt. 17:8)—
  - C there were three courts there.
  - D One was in session at the gate of the Temple mount, one was in session at the gate of the courtyard, and one was in session in the hewn-stone chamber.
  - E They come to the one which is at the gate of the Temple mount and say, "Thus I have explained the matter, and thus my colleagues have explained the matter.
  - F "Thus I have ruled in the matter, and thus my colleagues have ruled."
  - G If they had heard a ruling, they told it to them, and if not, they come along to that court which was at the gate of the courtyard.

- H And he says, "Thus I have explained the matter, and thus my colleagues have explained the matter.
- I "Thus I have ruled in the matter, and thus my colleagues have ruled."
- J If they had heard a ruling, they told it to them, and if not, these and those come along to the high court which was in the hewn-stone chamber,
- K from which Torah goes forth to all Israel,
- L as it is said, *From that place which the Lord shall choose* (Dt. 17:12).
- M [If] he went back to his town and again ruled just as he had ruled before, he is exempt.
- N But if he instructed others to do it in that way, he is liable,
- O as it is said, And the man who does presumptuously (Dt. 17:12).
- P He is liable only if he will give instructions to people actually to carry out the deed [in accord with the now-rejected view].
- Q A disciple of a sage who gave instruction to carry out the deed [wrongly] is exempt.
- R It turns out that the strict ruling concerning him [that he cannot give decisions] also is a lenient ruling concerning him [that he is not punished if he does give decisions].
- **11:3** A A more strict rule applies to the teachings of scribes than to the teachings of Torah.
  - B He who rules, "There is no requirement to wear phylacteries," in order to transgress the teachings of the Torah, is exempt.
  - C [But if he said,] "There are five partitions [in the phylactery, instead of four]," in order to add to what the scribes have taught, he is liable.
- **11:4** A "They put him to death not in the court in his own town or in the court which is in Yabneh, but they bring him up to the high court in Jerusalem.
  - B "And they keep him until the festival, and they put him to death on the festival,
  - C "as it is said, *And all the people shall hear and fear and no more do presumptuously* (Dt. 17:13)," the words of R. Aqiba.
  - D R. Judah says, "They do not delay the judgment of this one, but they put him to death at once.
  - E "And they write messages and send them with messengers to every place:
  - F "'Mr. So-and-so, son of Mr. So-and-so, has been declared liable to the death penalty by the court.' "
- **11:5** A A false prophet [M. 11:1B4],
  - B one who prophesies concerning something which he has not actually heard or concerning something which was not actually said to him,
  - C is put to death by man.
  - D But he who holds back his prophecy, he who disregards the words of another prophet, or the prophet who transgresses his own words—
  - E is put to death by heaven,
  - F as it is said, *I will require it of him* (Dt. 18:19).
- **11:6** A *He who prophesies in the name of an idol* [M. 11:1B5], and says, "Thus did such-and-such an idol say to me,"
  - B even though he got the law right, declaring unclean that which in fact is unclean, and declaring clean that which in fact is clean.
  - C *He who has sexual relations with a married woman* [M. 11:1C1]—

- D as soon as she has entered the domain of the husband in marriage, even though she has not had sexual relations with him—
- E he who has sexual relations with her—lo, this one is put to death by strangling.
- F And those who bear false witness against the priest's daughter and against one who has sexual relations with her [M. 11:1C2, 3]—
- G for all those who bear false witness first suffer that same mode of execution,
- H except for those who bear false witness against the priest's daughter and her lover.

# MAKKOT

1:1		А	How are witnesses treated [punished] as perjurers?
	Ι	В	[If they had said,] "We testify concerning Mr. So-and-so, that he is the son of a
			divorcée," or, " the son of a woman who has performed the rite of removing the
			shoe," [and had been proved perjurers],
		С	they do not say, "Let this one be declared the son of a divorcée," or, " the son of
			a woman who has performed the rite of removing the shoe."
		D	But he is flogged [on account of perjury] with forty stripes.
	II	E	, "We testify concerning Mr. So-and-so, that he is liable to exile,"
		F	they do not say, "Let this one go into exile in his stead."
		G	But he is flogged with forty stripes.
	III	Н	, "We testify concerning Mr. So-and-so, that he has divorced his wife and not
			paid off her marriage settlement,"—
		Ι	(and is it not so that whether it is today or tomorrow, he certainly is going to pay
			off her marriage settlement—)
		J	they make an estimate of how much a man will be willing to pay [now] for the
			ownership of her marriage settlement,
		Κ	on the condition that, if she should be widowed or divorced, [he will take it over],
			but if she should die, her husband will inherit her [estate, including said marriage
			settlement].
	IV	L	, "We testify concerning Mr. So-and-so, that he owes his fellow a thousand zuz,
			on condition that he will pay him in thirty days,"
		Μ	and the accused says, " in the next ten years,"
		N	they make an estimate of how much a man is willing to pay for the use of a
			thousand <i>zuz</i> , whether he pays them in thirty days or in ten years.
1:2	V	А	, "We testify concerning Mr. So-and-so, that he owes his fellow two hundred
1.2	•	11	zuz,"
		В	and they turn out to be perjurers—
		C	"they are flogged, and they pay up,
		D	"for the count which brings flogging on them is not the count which brings on them
		D	the penalty of restitution," the words of R. Meir.
		Е	And sages say, "Whoever pays restitution is not flogged."
		Ľ	And sages say, wheever pays resitution is not nogged.
1:3	VI	А	, "We testify concerning Mr. So-and-so, that he is liable to receive flogging in
	V I	Π	the measure of forty stripes,"
		В	and they turn out to be perjurers—
		D	

- C "they are smitten eighty times, on the count of, *You shall not bear false witness* against your neighbor (Ex. 20:13), and on the count of *You shall do to him as he* had conspired to do (Dt. 19:19)," the words of R. Meir.
- D And sages say, "They are flogged only forty stripes."
- E They divide up [among the perjurers] a penalty for making restitution, but they do not divide up the penalty of flogging.
- F How so?
- G [If] they gave testimony about someone that he owes his fellow two hundred *zuz*, and they turned out to be perjurers, they divide [the two hundred *zuz*] among them [and make restitution of that amount].
- H But if they gave testimony about him that he is liable to receiving flogging in the measure of forty stripes, and they turned out to be perjurers, each one is flogged forty times.
- **1:4** A Witnesses are declared to be perjurers only if they will incriminate themselves.
  - B How so?
  - C [If] they said, "We testify concerning Mr. So-and-so, that he killed someone,"
  - D [and] they said to them, "How can you give any testimony, for lo, this one who is supposed to have been killed, or that one who is supposed to have killed, was with us on that very day and in that very place"—
  - E they are not declared perjurers.
  - F But if they said to them, "How can you give testimony, and lo, you your—selves were with us on that very day in that very place"—
  - G lo, these are declared perjurers,
  - H and they are put to death on the basis of their own testimony [against the third party].
- **1:5** A [If] others came and gave false testimony against them,
  - B and still others came and gave false testimony against them,
    - C even a hundred—
    - D all of them are put to death.
    - E R. Judah says, "This is a conspiracy, [to confuse the judges] and the only ones to be put to death are those of the first group alone."
- **1:6** A Perjured witnesses [in a capital case] are put to death only at the conclusion of the trial.
  - B Now lo, the Sadducees say, "Only when the accused has actually been put to death, since it is said, A *life for a life* (Dt. 19:21)."
    - C Sages said to them, "And has it not also been said, *And you will do to him as he had planned to do to his fellow* (Dt. 19:19)? And lo, his fellow is still alive!
    - D "If so, why has it been said, A *life for a life?*
    - E "For one might suppose that from that very moment at which [the judges] have received their testimony [which is proved to be perjury], they should be put to death.
    - F "Scripture says, A *life for a life*—lo, they are put to death only at the conclusion of the trial."
- 1:7
- A At the mouth of two witnesses or three witnesses shall he that is to die be put to death (Dt. 17:6).
- I B If the testimony is confirmed with two witnesses, why has the Scripture specified three?

- C But: [the purpose is] to draw an analogy between three and two.
- D Just as three witnesses prove two witnesses to be false, also two witnesses may prove three witnesses to be false.
- E And how do we know that [two witnesses may prove false] even a hundred?
- F Scripture says, *Witnesses*.
- II G R. Simeon says, "Just as two are put to death only if both of them are proved to be perjurers, also three witnesses are put to death only if all three of them are proved to be perjurers.
  - H "And how do we know that this applies even to a hundred?
  - I "Scripture says, "Witnesses."
  - J R. Aqiba says, "The mention of the third [witness] is only to impose upon him a strict rule and to treat the rule concerning him as the same as that applying to the other two.
  - K "And if Scripture has imposed a punishment on someone who gets involved with those who commit a transgression, precisely equivalent to that which is imposed on those who themselves commit the transgression,
  - L "how much the more so will [Heaven] pay a just reward to the one who gets involved with those who do a religious duty, precisely equivalent to that which is paid to those who themselves actually do the religious duty."
- **1:8** III A Just as, in the case of two [witnesses], if one of them turns out to be a relative or otherwise invalid, the testimony of both of them is null,
  - B so in the case of three, [if] one of them turns out to be a relative or otherwise invalid, the testimony of all three of them is null.
  - C How do we know that the same rule applies even in the case of a hundred?
  - D Scripture says, *Witnesses*.
  - E Said R. Yose, "Under what circumstances? In the case of trials for capital crimes.
  - F "But in the case of trials in property litigations, the testimony may be confirmed with the remaining [valid witnesses]."
  - G Rabbi says, "All the same is the rule governing property cases and capital cases."
  - H This is the rule when [both witnesses] warned the transgressor.
  - I But if they had not joined in warning the transgressor, what should two brothers do who saw someone commit homicide?
- **1:9** A [If] two saw the incident from one window, and two saw it from another window,
  - B and one warns [the transgressor] in the middle,
  - C when part of one group see part of another, lo, these constitute a single body of testimony [subject to the rules given above].
  - D But if not, lo, these constitute two distinct bodies of testimony.
  - E Therefore, if one of them turns out to be perjured, [the transgressor] and those two witnesses are put to death, but the other group of witnesses is exempt.
  - F R. Yose says, "Under no circumstances is one put to death unless both witnesses against him have given warning to him,
  - G "as it is said, At the testimony of two witnesses (Dt. 17:6)."
  - H Another matter:
  - I *At the mouth of two witnesses* [directly]—that a sanhedrin should not listen to the testimony through the intervention of a translator.
- 1:10 A He whose trial ended and who fled and was brought back before the same court—

- B they do not reverse the judgment concerning him [and retry him].
- C In any situation in which two get up and say, "We testify concerning Mr. So-and-so that his trial ended in the court of such-and-such, with Mr. So-and-so and Mr. So-and-so as the witnesses against him,"
- D lo, this one is put to death.
- E [Trial before] a sanhedrin applies both in the land and abroad.
- F A sanhedrin which imposes the death penalty once in seven years is called murderous.
- G R. Eleazar b. Azariah says, "Once in seventy years."
- H R. Tarfon and R. Aqiba say, "If we were on a Sanhedrin, no one would ever be put to death."
- I Rabban Simeon b. Gamaliel says, "So they would multiply the number of murderers in Israel."
- **2:1** A These are the ones who go into exile:
  - B he who kills someone accidentally.
    - C (1) [If] he was rolling [the roof] with a roller, and it fell down on someone and killed him,
    - D (2) [if] he was letting down a jar [from the roof], and it fell on [a man] and killed him,
    - E (3) [if] one was climbing down a ladder and fell down on someone and killed him—
    - F lo, this person goes into exile.
    - G But: (1) if he was pulling up a roller, and it fell on [a man] and killed him,
    - H (2) [if] he was drawing up a jar, and the rope broke, and [the jar] fell on man and killed him,
    - I (3) [if] he was climbing up a ladder and fell on a man and killed him,
    - J lo, this one does not go into exile.
    - K This is the governing principle: Whatever happens en route downward—the person goes into exile.
    - L [And whatever happens] not en route downward—the person does not go into exile.
    - M [If] the iron flew from the heft and killed someone,
    - N Rabbi says, "He does not go into exile
    - O And sages say, "He goes into exile."
    - P [If] it flew from the wood which is being split,
    - Q Rabbi says, "He goes into exile."
    - R And sages say, "He does not go into exile."
- **2:2** A He who throws a stone into the public domain and it committed homicide —lo, this one goes into exile.
  - B R. Eliezer b. Jacob says, "If after the stone left the man's hand, the other party stuck out his head and took [the stone on the head], lo, this one is exempt."
  - C [If] he threw the stone into his own courtyard and killed him,
  - D if the victim had every right to go into there, [the other party] goes into exile.
  - E And if not, he does not go into exile,
  - F as it is said, As when a man goes into the forest with his neighbor (Dt. 19:5)—
  - G just as the forest is a domain in which both the victim and the one who inflicted injury have every right to enter,
  - H so the courtyard belonging to the householder is excluded [from reference], since the victim had no right to go there.
  - I Abba Saul says, "Just as cutting wood is optional, so are excluded [from punishment those who do their duty, e. g. :] the father who hits his son, the master who strikes his disciple, and the court official [who committed homicide in the doing of their duty]."

- **2:3** I A The father goes into exile because of the son,
  - B And the son goes into exile because of the father.
  - C All go into exile because of an Israelite.
    - D And an Israelite goes into exile on their account,
  - E except on account of a resident alien.
  - III F A resident alien goes into exile only on account of another resident alien.
    - G "A blind person does not go into exile," the words of R. Judah.
    - H R. Meir says, "He goes into exile."
    - I One who bears enmity [for his victim] does not go into exile.
    - J R. Yose b. R. Judah says, "One who bears enmity [for his victim] is put to death,
    - K "for he is in the status of one who is an attested danger."
    - L R. Simeon says, "There is one who bears enmity [for the victim] who goes into exile, and there is one who bears enmity who does not go into exile.
    - M "This is the governing principle: In any case in which one has the power to say, 'He killed knowingly,' he does not go into exile.
    - N "And if he has the power to say, 'He did not kill knowingly,' lo, this one goes into exile."
- **2:4** A Where do they go into exile?

- B To the cities of refuge—
- C to three which are in Transjordan, and to three which are in the Land of Canaan,
- D as it is said, You shall set aside three cities beyond Jordan and three cities you shall set aside in the Land of Canaan (Num. 35:14).
- E Before the three in the Land of Israel had been selected [Josh. 20:7], the three which were on the other side of the Jordan [also] did not afford refuge,
- F as it is said, *They shall be for you six cities of refuge*—
- G [they do not afford refuge] until all six of them afford refuge at the same time.
- **2:5** A And [direct] roads [were prepared] from one to the other,
  - B as it is said, And you shall prepare the way and divide the borders of your land (Dt. 19:3).
  - C And they hand over to him two disciples of sages, lest [the avenger of the blood] should kill him en route.
  - D They will speak to [the avenger of the blood].
  - E R. Meir says, "Also he [the manslaughterer] may speak to [the avenger of the blood],
  - F "as it is said, *This is the word of the manslaughterer* (Dt. 19:4)."
- **2:6** A R. Yose b. R. Judah says, "To begin with, both the one who kills by accident and the one who kills maliciously go first to the cities of refuge.
  - B "Then the court sends and brings [the murderer] back from there.
  - C "Him who is found guilty of death in court they killed.
  - D "And him who is not found guilty of death they set free.
  - E "Him who is found guilty of a crime requiring exile they returned to his place,
  - F "as it is said, And the community shall send him back to his city of refuge (Num. 35:25)."
  - G All the same are [the deaths of] the high priest who is anointed with anointing oil, the one who is consecrated by being clothed in many garments, and the one who has passed from his anointment as high priest— they bring back the murderer [from the city of refuge, his term having ended].
  - H R. Judah says, "Also [on the occasion of the death of] a priest anointed for war does one bring back the murderer."

- I Therefore the mothers of the priests provide food and clothing for those [who are in the cities of refuge,] so that they will not pray that their sons will die.
- J [If] after one's trial has ended [with the sentence of exile], a high priest died, lo, this one does not go into exile.
- K [If] it was before the trial had ended that the high priest died and another was appointed in his stead, and afterward his trial came to an end,
- L he comes back only at the death of the next high priest.
- **2:7** A [If] (1) one's trial ended at a time at which there was no high priest,
  - B (2) he who kills a high priest,
  - C and (3) a high priest who committed involuntary manslaughter—
  - D [none of these] leaves there forever.
  - E And one does not leave [the city of refuge] either for giving testimony having to do with a religious duty, or to give testimony having to do with property, or to give testimony having to do with a capital crime.
  - F And even if the Israelites need him,
  - G and even if he is a general of the Israelite army of the quality of Joab b. Zeruiah,
  - H he may not leave there ever,
  - I as it is said, *Whither he has fled* (Num. 35:25)—
  - J there will be his dwelling, there will be his death, there will be his burial.
  - K Just as the town affords refuge, so the Sabbath limit of the town affords refuge.
  - L A manslaughterer who went beyond the limit, and the avenger of the blood found him—
  - M R. Yose the Galilean said, "It is a religious duty in the hand of the avenger of the blood [to kill the manslaughterer], and it is an option available to anyone else [to do so as well]."
  - N R. Aqiba says, "It is an option available to the avenger of the blood, and anyone else bears no liability [if he does so]."
  - O A tree standing in the Sabbath limit, with its branches extending outside of the Sabbath limit—
  - P or standing outside of the Sabbath limit, with its branches extending within the Sabbath limit—
  - Q everything follows the location of the branches.
  - R [If] one has committed manslaughter in that very town he goes into exile from one neighborhood to another.
  - S And a Levite goes into exile from one town to another.
- **2:8** A [Delete: *Similarly*] A manslaughterer who went into exile into a city of refuge, whom the townsfolk wanted to honor, must say to them, "I am a manslaughterer."
  - B [If] they said to him, "Even so," he may accept [the honor] from them,
  - C as it is said, *This is the word of the manslaughterer* (Dt. 19:4).
  - D "They pay Levites a rental," the words of R. Judah.
  - E R. Meir says, "They did not pay them a rental."
  - F "And he may return to the office which he had held before," the words of R. Meir.
  - G R. Judah says, "He did not return to the office which he had held before."
- **3:1** A These are the ones who are flogged:
  - B He who has sexual relations with (1) his sister, (2) the sister of his father, (3) the sister of his mother, (4) the sister of his wife, (5) the wife of his brother, (6) the wife of the brother of his father,
  - C (7) a menstruating woman,

- D (8) a widow in the case of a high priest, (9) a divorcée or a woman who has performed the rite of removing the shoe with an ordinary priest, (10) a *mamzer* girl and a (11) *Netin* girl with an Israelite, (12) an Israelite girl with a *Netin* or with a *mamzer*
- E As to a widow and a divorcée, [priests] are liable in her case on two counts.
- F In the case of a divorcée and a woman who has performed the rite of removing the shoe, [a priest] is liable in her case on only one count alone.
- **3:2** A [Also subject to flogging are]: (1) an unclean person who ate food in the status of Holy Things: (2) he who enters the Temple unclean,
  - B (3) he who eats forbidden fat, blood, remnant of a sacrifice left overnight, meat of a sacrifice rendered invalid by the improper intention of the officiating priest, or unclean [sacrificial meat];
  - C (4) he who slaughters an animal and offers it up outside of the Temple;
  - D (5) he who eats leaven on Passover;
  - E (6) and he who eats or who does an act of labor on the Day of Atonement;
  - F (7) he who prepares anointing oil like the anointing oil of the Temple, (8) he who prepares incense like the incense of the Temple, or (9) he who anoints himself with anointing oil;
  - G (10) he who eats carrion or *terefah meat*, forbidden things, or creeping things.
  - H [If] one ate (1) food from which tithes had not been removed at all, (2) first tithe from which heave offering had not been removed, (3) second tithe or consecrated food which had not been redeemed, [he is liable to flogging].
  - I How much food which had not been tithed at all does one eat so as to be liable?
  - J R. Simeon says, "Any amount at all."
  - K And sages say, "An olive's bulk."
  - L Said to them R. Simeon, "Do you not agree with me in the case of one who eats an ant, however small, that he is liable?"
  - M They said to him, "It is because that is how it has been created."
  - N He said to them, "Also a single grain of wheat is precisely in the form in which it has been created."
- **3:3** A [Also subject to flogging are]: (1) he who eats first fruits over which one has not made the required declaration;
  - B (2) Most Holy Things outside the Temple veils, (3) Lesser Holy Things or second tithe outside the wall [of Jerusalem].
  - C He who breaks the bone of a Passover offering which is in a state of cleanness—lo, this one is flogged with forty stripes.
  - D But he who leaves over meat of a clean Passover offering or who breaks the bone in the case of an unclean one is not flogged with forty stripes.
- **3:4** A He who removes the dam with the offspring—
  - B R. Judah says, "He is flogged, and he does not have to send the dam away."
  - C And sages say, "He sends the dam away, and he is not flogged."
  - D This is the governing principle, In the case of any negative commandment which involves doing a positive deed, one is not liable.
- **3:5** A (1) He who makes a baldness on his head [Dt. 14:1], (2) he who rounds the corners of his head and (3) mars the corners of his beard [Lev. 19:27], (4) or he who makes a single cutting for the dead [Lev. 19:28] is liable.

- B [If] he made a single cutting on account of five different corpses,
- C or five cuttings on account of one corpse,
- D he is liable for each and every one of them.
- E For [cutting off the hair of] the head, he is liable on two counts, one for each side of the head.
- F For cutting off the beard, he is liable on two counts for one side, two counts for the other side, and one count for the lower part.
- G R. Eliezer says, "If he removed all of it at once, he is liable only on one count."
- H And he is liable only if he will remove it with a razor.
- I R. Eliezer says, "Even if he removed it with pincers or with an adze, he is liable."
- **3:6** A He who tattoos his skin—
  - B [If] he made a mark but did not tattoo it in,
  - C tattooed it in but did not make a mark,
  - D he is not liable—
  - E unless he makes a mark and tattoos with ink or with eye paint or with anything which lasts.
  - F R. Simeon b. Judah says in the name of R. Simeon, "He is liable only if he will write the name [of a god],
  - G "as it is written, Nor will you tattoo any marks on you, I am the Lord (Lev. 19:28)."

### **3:7** I A A Nazirite who was drinking wine all day long is liable on only one count.

- B [If] they said to him, "Don't drink, don't drink!" yet he continued to drink,
  - C he is liable on each count.
- **3:8** II A [If a Nazirite] was contracting corpse uncleanness all day long, he is liable on only one count.
  - B [If] they said to him, "Do not contract corpse uncleanness! Do not contract corpse uncleanness!" yet he continued to contract corpse uncleanness,
  - C he is liable on each count.
  - III D [If] he was shaving himself all day long, he is liable on only one count.
    - E [If] they said to him, "Don't shave! don't shave!" yet he continued to shave,
      - F he is liable on each count.
      - G If someone was wearing a garment of *Diverse kinds* (Lev. 19:19, Dt. 22:11) all day long, he is liable on only one count.
      - H [If] they said to him, "Don't put it on don't put it on!" yet he took it off and then put it on, he is liable on each count.
- **3:9** A There is one who ploughs a single furrow and is liable on eight counts of violating a negative commandment:
  - B [specifically, it is] he who (1) ploughs with an ox and an ass [Dt. 22: 10], which are (2, (3) both Holy Things, in the case of (4) [ploughing] Mixed Seeds in a vineyard [Dt. 22:9], (5) in the Seventh Year [Lev. 25:4], (6) on a festival [Lev. 23:7] and who was both a (7) priest [Lev. 21:1] and (8) a Nazirite [Num. 6:6] [ploughing] in a graveyard.
  - C Hananiah b. Hakhinai says, "Also: He is [ploughing while] wearing a garment of *Diverse kinds*" [Lev. 19:19, Dt. 22:11].
  - D They said to him, "This is not within the same class."
  - E He said to them, "Also the Nazir [B8] is not within the same class [as the other transgressions]."

- **3:10** A How many times do they flog him?
  - B Forty stripes less one,
  - C as it is said, *By number, forty* [Dt. 25:2, 3]—a number near [but less than] forty.
  - D R. Judah says, "He is flogged a full forty times,"
  - E And where does the additional one fall?
  - F Between the shoulders.

**3:11** A They make an estimate of his capacity to take the flogging [without being irreparably injured or killed] only by a number divisible by three.

- I B [If] they estimated him as able to take forty, [if] he then received part of the flogging, and they said that he cannot take all forty, he is exempt.
- II C [If] they estimated him as able to take eighteen, [and] once he has received the flogging [of eighteen], they said that he can take all forty, he [still] is exempt from the rest.
- III D [If] he committed a transgression on which he is liable on two counts of violating negative commandments, and they make a single estimate [of what he can take, covering both sets],
  - E he is flogged and exempt [from the other].
  - F And if not, he is flogged and allowed to heal, and then goes and is flogged again.
- **3:12** A How do they flog him?
  - B One ties his two hands on either side of a pillar,
  - C and the minister of the community grabs his clothing—
  - D if it is torn, it is torn, and if it is ripped to pieces, it is ripped to pieces—
  - E until he bares his chest.
  - F A stone is set down behind him, on which the minister of the community stands.
  - G And a strap of cowhide is in his hand, doubled and redoubled, with two straps that rise and fall [fastened] to it.
- **3:13** A Its handle is a handbreadth long and a handbreadth wide,
  - B and its end must reach to his belly button.
  - C And he hits him with a third of the stripes in front and two-thirds behind.
  - D And he does not hit [the victim] while he is either standing or sitting, but bending low,
  - E as it is said, *And the judge will cause him to lie down* (Dt. 25:2).
  - F And he who hits him hits with one hand, with all his might.
- **3:14** A And a reader reads: *If you will not observe to do ... the Lord will have your stripes pronounced, and the stripes of your seed* (Dt. 28:58ff.) (and he goes back to the beginning of the passage). *And you will observe the words of this covenant* (Dt. 29:9), and he finishes with, *But he is full of compassion and forgave their iniquity* (Ps. 78:38), and he goes back to the beginning of the passage.
  - B And if the victim dies under the hand of the one who does the flogging, the latter is exempt from punishment.
  - C [But if] he added even a single stripe and the victim died, lo, this one goes into exile on his account.
  - D If the victim dirtied himself, whether with excrement or urine, he is exempt [from further blows].

- E R. Judah says, "In the case of man, with excrement; and in the case of a woman, with urine."
- **3:15** A "All those who are liable to extirpation who have been flogged are exempt from their liability to extirpation,
  - B "as it is said, And your brother seem vile to you (Dt. 25:3)—
  - C "once he has been flogged, lo, he is tantamount to your brother," the words of R. Hananiah b. Gamaliel.
  - D Said R. Hananiah b. Gamaliel, "Now if one who does a single transgression—[Heaven] takes his soul on that account, "he who performs a single religious duty— how much the more so that his soul will be saved for [handed over to] him on that account!"
  - E R. Simeon says, "From its own passage we may learn that,
  - F "for it is written, *Even the souls that do them shall be cut off* (Lev. 18:29).
  - G "And it is said, *Which if a man do he shall live by them* (Lev. 18:4).
  - H "Lo, whoever sits and does no transgression—they give him a reward like that which goes to one who [goes and] does a religious duty."
  - I R. Simeon b. Rabbi says, "Lo, it says, *Only be sure that you do not eat the blood, for the blood is the life* (Dt. 12:23).
  - J "Now if blood, which the soul of man despises—he who keeps away from it receives a reward,
  - K "robbery and fornication, which the soul of a man desires and after which he lusts—he who keeps away from them how much the more will attain merit—
  - L "for him, and for his descendants, and for the descendants of his descendants, to the end of all generations!"
- **3:16** A R. Hananiah b. Aqashia says, "The Holy One, blessed be he, wanted to give merit to Israel. B "Therefore he gave them abundant Torah and numerous commandments,
  - C "as it is said, *It pleased the Lord for his righteousness' sake to magnify the Torah and give honor to it* (Is. 42:21)."

# SHABUOT

1:1 Ι А Oaths are of two sorts, which yield four subdivisions. Π В Awareness of [having sinned through] uncleanness is of two sorts, which yield four subdivisions. Ш С Transportation [of objects from one domain to the other] on the Sabbath is of two sorts, which yield four subdivisions. IV The symptoms of *negas* are of two sorts, which yield four subdivisions. D In any case in which there is awareness of uncleanness at the outset and awareness 1:2 А [of uncleanness] at the end but unawareness in the meantime—lo, this one is subject to bringing an offering of variable value. [If] there is awareness [of uncleanness] at the outset but no apprehension [of Ι В uncleanness] at the end, a goat which [yields blood to be sprinkled] within [in the Holy of Holies], and the Day of Atonement suspend [the punishment],

- C until it will be made known to the person, so that he may bring an offering of variable value.
- **1:3** II A [If] there is no apprehension [of uncleanness] at the outset but there is apprehension [of uncleanness] at the end,
  - B a goat which [yields blood to be sprinkled] without [on the outer altar], and the Day of Atonement effect atonement,
  - C as it is said, *Beside the sin offering of atonement* (Num. 29:11).
  - D For that which this [goat, prepared inside] makes atonement, the other [the goat prepared outside] makes atonement.
  - E Just as the goat prepared inside makes atonement only for something for which there is certain knowledge, so that which is prepared outside effects atonement only for something for which there is certain knowledge.
- **1:4** III A And for that [uncleanness] for which there is no awareness [of uncleanness] either at the beginning or at the end,
  - B "the goats offered on festivals and the goats offered on new months effect atonement," the words of R. Judah.
  - C R. Simeon says, "The goats offered on festivals effect atonement but not the goats offered on new months.
  - D "And for what do the goats offered on new months effect atonement? For a clean person who ate something unclean."
  - E R. Meir says, "The atoning effects of all goats are the same: for imparting uncleanness to the sanctuary and its Holy Things."
  - F R. Simeon did say, "The goats offered on the new months effect atone—ment for a clean person who has eaten something unclean.
  - G "And those of the festivals effect atonement for a case in which there is no awareness [of uncleanness] either at the beginning or at the end [of the sequence of events].
  - H "And those of the Day of Atonement effect atonement for a case in which there is no awareness [of uncleanness] at the beginning but there is apprehension [of uncleanness] at the end" [=M. 1:3].
  - I They said to him, "What is the law as to offering up this one [set aside for the Day of Atonement] on the occasion of the other [the new month]?"
  - J He said to them, "Let them be offered up."
  - K They said to him, "Since their power of effecting atonement is not the same, how may one be offered on the occasion suitable for the other?"
  - L He said to them, "All of them are offered up to effect atonement for imparting uncleanness to the sanctuary and its Holy Things."
- **1:5** A R. Simeon b. Judah says in his name, "Goats offered up on the new months effect atonement for a clean person who has eaten something unclean [= M. 1:4D].
  - B "Added to them are those of the festivals, which effect atonement for a clean person who has eaten something unclean, and for the case in which there is no apprehension [of uncleanness] either at the beginning or at the end [= M. 1:4C]."
  - C "Added to them are those of the Day of Atonement, which effect atonement for a clean person who has eaten something unclean, for a case in which there is no apprehension [of uncleanness] either at the beginning or at the end, and for a case in which there is no

apprehension [of uncleanness] at the beginning but in which there is an apprehension [of uncleanness] at the end [= M. 1:3]."

- D They said to him, "What is the law as to offering up this one on the occasion of the other?"
- E He said to them, "Yes."

- F They said to him, "If so, let those [set aside for use on] the Day of Atonement be offered up on the new months.
- G "But how are those of the new months going to be offered on the Day of Atonement, to effect atonement which does not apply to them [an unclean person who ate something clean or went into the sanctuary]?"
- H He said to them, "All of them are offered up to effect atonement for imparting uncleanness to the sanctuary and its Holy Things."
- **1:6** A And for a deliberate act of imparting uncleanness to the sanctuary and its Holy Things, a goat [whose blood is sprinkled] inside and the Day of Atonement effect atonement.
  - B And for all other transgressions which are in the Torah—
  - C the minor or serious, deliberate or inadvertent, those done knowingly or done unknowingly, violating a positive or a negative commandment, those punishable by extirpation and those punishable by death at the hands of a court,
  - D the goat which is sent away [Lev. 16:21] effects atonement.
- **1:7** A [It effects atonement] all the same, for Israelites, priests and the anointed priest.
  - B What is the difference between Israelites, priests, and the anointed priest?
    - C But: The blood of the bullock effects atonement for priests for imparting uncleanness to the sanctuary and its Holy Things.
    - D R. Simeon says, "Just as the blood of the goat which is [sprinkled] inside effects atonement for Israelites,
    - E "so the blood of the bullock effects atonement for priests.
    - F "Just as the confession said over the goat which is sent forth effects atonement for Israelites,
    - G "so the confession said over the bullock effects atonement for priests."
- **2:1** A *Awareness of uncleanness is of two sorts, which yield four subdivisions* [M. 1:1B]. I B (1) [If] one was made unclean and knew about it, then the uncleanness left his
  - B (1) [If] one was made unclean and knew about it, then the uncleanness left his mind, but he knew [that the food he had eaten was] Holy Things,
    - C (2) the fact that the food he had eaten was Holy Things left his mind, but he knew about [his having contracted] uncleanness,
    - D (3) both this and that left his mind, but he ate Holy Things without knowing it and after he ate them, he realized it—
    - E lo, this one is liable to bring an offering of variable value.
  - F (1) [If] he was made unclean and knew about it, and the uncleanness left his mind, but he remembered that he was in the sanctuary;
    - G (2) the fact that he was in the sanctuary left his mind, but he remembered that he was unclean,
    - H (3) both this and that left his mind, and he entered the sanctuary without realizing it, and then when he had left the sanctuary, he realized it—
    - I lo, this one is liable to bring an offering of variable value.

- **2:2** A All the same are he who enters the courtyard and he who enters the addition to the courtyard.
  - B For they add to the city, and courtyards only on the instructions of the king and prophet, the *Urim and Thummim*, and the sanhedrin of seventy-one members, with two thank offerings and singing.
  - C The court goes along with the two thank offerings behind them, and all the Israelites after them.
  - D The one offered inside is eaten, and the one offered outside is burned.
  - E And any area which is not treated wholly in this way [with the proper rites]—
  - F he who enters that area—they are not liable on its account.
- **2:3** III A (1) [If] he was made unclean in the courtyard, and the uncleanness left his mind, but he remembered the sanctuary—
  - B (2) [if] the sanctuary left his mind, but he remembered the uncleanness,
  - C (3) [if] this and that left his mind, and he prostrated himself or remained there for an interval sufficient for prostrating himself,
  - D [if] he went out by the longer way, he is liable.
  - E [If he went out] by the shorter way, he is exempt.
  - F This is a positive commandment regarding the sanctuary on account of which [a court] is not liable [to a sin offering].
- **2:4** A And what is a positive commandment concerning the menstruant, on account of which [a court] is liable?
  - B [If] he was having sexual relations with a clean woman, and she said, "I have become unclean,"
  - C [even if] he separated forthwith, he is liable,

- D for the going out is just as much a pleasure for him as the going in.
- **2:5** A R. Eliezer says, "*A creeping thing ... and it be hidden from him* [Lev. 5:2)—
  - B "One is liable if the creeping thing goes out of mind, but he is not liable if the fact that he was in the sanctuary goes out of mind."
  - C R. Aqiba says, "And it be hidden from him and he be unclean—
  - D "On account of the uncleanness's passing out of mind he is liable, but he is not liable on account of the sanctuary's passing out of mind."
  - E R. Ishmael says, "Shall be hidden [Lev. 5:2] ... shall be hidden ... [Lev. 5:3], two times:
  - F "to impose liability for the uncleanness's passing out of mind, and for the sanctuary's passing out of mind."
  - A Oaths are of two sorts, which yield four subdivisions [M. 1:1A].
    - B (1) "I swear I shall eat," and (2) "... I shall not eat,"
    - C (3) "... that I ate," and (4) "... that I didn't eat
    - D "[If one said], 'I swear I won't eat,' and he ate anything [in any volume] whatsoever, he is liable," the words of R. Aqiba.
    - E They said to R. Aqiba, "Where have we found that someone who eats anything in any negligible volume is liable, that this one should be deemed liable?"
    - F Said to them R. Aqiba, "And where have we found that one who merely speaks has to bring an offering?"
  - I G "I swear that I won't eat," and he ate and drank— he is liable on only one count.

Η "I swear that I won't eat and drink," and he ate and drank—he is liable on two counts.

#### "I swear I won't eat,"— 3:2 Π А

- В and he ate a piece of bread made of wheat, a piece of bread made of barley, and a piece of bread made of spelt, he is liable on one count only.
- С "I swear that I won't eat a piece of bread made of wheat, a piece of bread made of barley, and a piece of bread made of spelt," and he ate-
- he is liable on each and every count. D

#### 3:3 III "I swear I won't drink," and he drank many different beverages-А

- В he is liable on one count only.
- С "I swear that I won't drink wine, oil, and honey," and he drank-
- D he is liable on each and every count.
- "I swear I won't eat," and he ate food which is not suitable for eating, IV 3:4 А
  - or drank liquids which are not suitable for drinking-В
    - С he is exempt.
  - "I swear that I won't eat," but he ate carrion and terefah meat, abominations and V D creeping things-he is liable.
    - Е R. Simeon declares him exempt.
  - VI F [If] he said, "*Oonam* be benefit which I give to my wife, if I ate anything today"
    - G and he had eaten carrion, terefah meat, abominations and creeping things-
      - Η lo, his wife is prohibited [to give benefit to him].
- It is all the same [whether the oath pertains to] things which belong to himself, things 3:5 А which belong to others, things which are of substance, and things which are not of substance.
  - В How so?
  - С [If] he said, "I swear that I shall give [this] to Mr. So-and-so," "... that I shall not give ... "... that I shall go to sleep," "... that I shall not go to sleep," "... that I slept," "... that I
  - D didn't sleep,"
  - "... that I'll throw a stone into the sea," "... that I won't throw ...," "... that I threw ... E ," "... that I didn't throw ... ,"
  - R. Ishmael says, "He is liable only concerning what happens in the future [which he states F in the form of an oath],
  - "for it is said, To do evil or to do good (Lev. 5:4)." G
  - Said to him R. Aqiba, "If so, I know only about oaths which involve doing evil or doing Η good. How do we know that the rule concerning oaths involves statements which are not about doing evil or doing good?"
  - He said to him, "From an extension supplied by Scripture." Ι
  - He said to him, "If Scripture has encompassed these matters, Scripture also has J encompassed those matters [governing what has happened in the past]."
- [If] he took an oath to nullify a commandment, but he did not nullify it, he is exempt [from 3:6 А penalty for violating the oath].

- B [And if he took an oath to] carry out [a commandment] and did not carry it out, he is exempt.
- C It is logical that he should be liable, in accord with the words of R. Judah b. Betera.
- D Said R. Judah b. Betera, "Now if concerning matters of free choice, about which one has not been subjected to an oath at Mount Sinai, lo, one is liable on that account [if he swore to do but did not do]—
- E "matters concerning a religious duty, about which one has been subjected to an oath at Mount Sinai—is it not logical that one should be liable on its account?"
- F They said to him, "No. If you have stated the rule in regard to an oath concerning a matter of free choice, in which *no* is treated as no different from *yes*, will you say the same concerning an oath involving a religious duty, in which a *no* is assuredly not treated as no different from a *yes*!"
- G "For if one has taken an oath to nullify [a religious duty] but did not nullify the religious duty, he is exempt."
- **3:7** A "I swear that I won't eat this loaf of bread," "I swear that I won't eat it," "I swear that I won't eat it"—
  - B and he ate it—
  - C he is liable on only one count.
  - D This is a *rash oath* (Lev. 5:4).
  - E On account of deliberately [taking a rash oath] one is liable to flogging, and on account of inadvertently [taking a rash oath] he is liable to bring an offering of variable value.
  - F As to a vain oath, they are liable for deliberately [taking a vain oath] to flogging, and for inadvertently [doing so], they are exempt.
- **3:8** A What is a vain oath?

Ι

- B [If] one has taken an oath to differ from what is well known to people.
- C If he said (1) concerning a pillar of stone that it is made of gold,
  - D (2) concerning a man that he is a woman,
- E (3) concerning a woman that she is a man—
- F [if] one has taken an oath concerning something which is impossible—
  - G (1) "... if I did not see a camel flying in the air...,"
  - H (2) "... if I did not see a snake as thick as the beam of an olive press ...,"
  - I (3) [if] he said to witnesses, "Come and bear witness of me,"
  - J [and they said to him,] "We swear that we shall not bear witness for you,
- III K [If] he took an oath to nullify a commandment—
  - L (1) not to build a *sukkah*, (2) not to take *lulab* and (3) not to put on phylacteries
  - M this is a vain oath,
  - N on account of the deliberate making of which one is liable for flogging, and on account of the inadvertent making of which one is exempt [from all punishment].
- **3:9** A "I swear that I shall eat this loaf of bread," "I swear that I shall not eat it"—
  - B the first statement is a rash oath, and the second is a vain oath.
    - C [If] he ate it, he has violated a vain oath.
    - D [If] he did not eat it, he has violated a rash oath.

- **3:10** I A [The law governing] a rash oath applies (1) to men and women, (2) to those who are not related and to those who are related, (3) to those who are suitable [to bear witness] and to those who are invalid [to bear witness],
  - B (4) before a court and not before a court.
  - C (5) [But it must be stated] by a man out of his own mouth.
  - D And they are liable for deliberately taking such an oath to flogging, and for inadvertently taking such an oath to an offering of variable value.
- **3:11** II A [The law governing] a vain oath applies (1) to men and women, (2) to those who are not related and to those who are related, (3) to those who are suitable [to bear witness] and to those who are not suitable [to bear witness],
  - B (4) before a court and not before a court.
  - C (5) [But it must be stated] by a man out of his own mouth.
  - D And they are liable for deliberately taking such an oath to flogging, and for inadvertently taking such an oath, one is exempt [from all punishment].
  - E All the same are this oath and that oath:
  - F he who was subjected to an oath by others is liable.
  - G How so?
  - H [If] one said, "I did not eat today, and I did not put on phylacteries today,"
  - I [and his friend said,] "I impose an oath on you [that that is so],"
  - J and he said, "Amen,"
  - K he is liable.
- **4:1** III A [The law governing] an oath of testimony (Lev. 5:1) applies (1) to men and not to women, (2) to those who are not related and not to those who are related, (3) to those who are suitable [to bear witness] and not to those who are not suitable [to bear witness],
  - B and it applies only to those who are suitable to bear witness,
  - C before a court and not before a court,
  - D [and it must be stated] by a man out of his own mouth.
  - E "[If it was imposed] out of the mouths of others, they are liable only when they will have denied [their knowledge in court]," the words of R. Meir.
  - F And sages say, "Whether it is from one's own mouth or from the mouths of others, they are liable only when they will have denied [their knowledge] in court."
- **4:2** A They are liable if they deliberately took a [false] oath or took a [false] oath in error along with deliberately denying their testimony.
  - B But they are not liable if they inadvertently denied [their testimony].
  - C And for what are they liable on account of deliberate violation?
  - D An offering of variable value.
- **4:3** A An oath of testimony—how so?
  - B [If] one said to two people, "Come and testify about me,"
  - C [and they replied,] "We swear that we don't know any testimony about you,"
  - D for if they said to him, "We don't know any testimony concerning you," [and he said to them], "I impose an oath upon you," and they said to him, "Amen,
  - E lo, these are liable [if they did have testimony to present and thus swore falsely].

- F [If] one imposed an oath on them five times outside of court, and then they came to court and confessed [that they did have testimony to offer, which they now are willing to offer], they are exempt.
- G [If] they denied [that they had testimony to offer, and turned out to have violated their oaths], they are liable on each and every count.
- H [If] he imposed an oath on them five times before the court and they denied [having testimony, and then turned out to have sworn falsely], they are liable on only one count.
- I Said R. Simeon, "What is the reason? Because [in court] they do not have the power to retract and to confess."
- **4:4** I A [If] both of them denied at the same time [that they had testimony], both of them are liable.
  - II B [If they made their denials] one after the other, the first is liable, but the second is exempt.
  - III C [If] one denied and one confessed, the one who denies is liable.
    - D [If] there were two groups of witnesses, [and] the first group denied [having testimony] and then the second group denied,
      - E both of them are liable,
      - F because the testimony in any event can be confirmed by the testimony of either one of them.
- **4:5** I A "I impose an oath on you that you come and testify about me, that in the hand of Mr. So-and-so there are a bailment, a loan, stolen goods, and lost property of mine,"
  - B "We swear that we do not know any testimony concerning you"—
  - C they are liable on only one count.
  - D "We swear that we know nothing about your having in Mr. So-and-so's hand a bailment, a loan, stolen goods, and lost property,"
  - E they are liable on each and every count.
  - II F "I impose an oath on you that you come and testify about me that I have a bailment in the hand of Mr. So-and-so: wheat, barley, and spelt, "
    - G "We swear that we know no testimony about you"—
    - H they are liable on only one count.
    - I "We swear that we know no testimony about you, that you have a bailment in the hand of Mr. So-and-so wheat, barley, and spelt"
    - J they are liable on each and every count.
- **4:6** III A "I impose an oath on you that you come and testify about me that I have in the hand of Mr. So-and-so a claim for damages, half-damages, twofold restitution, fourfold and fivefold restitution,
  - B "and that Mr. So-and-so raped my daughter," "seduced my daughter,"
  - C "and that my son hit me," "that my friend injured me," and "that he set fire to my grain on the Day of Atonement"—
  - D lo, these are liable [on any of these counts].
- **4:7** IV A "I impose an oath on you that you come and testify about me that I am a priest," "that I am a Levite," "that I am not the son of a divorcée," "that I am not the son of a woman who has performed the rite of removing the shoe,"

		В	"that Mr. So-and-so is a priest," that Mr. So-and-so is a Levite," "that he is not the son of a divorcée," that "he is not the son of a woman who has performed the rite of removing the shoe,"
		C	"that Mr. So-and-so raped his daughter," "seduced his daughter," "that my son injured me," "that my friend injured me," "that someone set fire to my grain on the Sabbath"—
		D	lo, these are exempt.
4:8	V	А	"I impose an oath on you that you come and testify about me that Mr. So-and-so promised to give me two hundred <i>zuz</i> and has not given it"—
		B C	lo, these are exempt, for they are liable only in the case of a monetary claim which is equivalent to a bailment.
4:9	VI	А	"I impose an oath on you that when you have evidence to give in my behalf, you come and testify about me"—
		B C	lo, these are exempt, for the oath has come before the matter about which testimony is to be given.
4:10	Ι	А	[If] one has gotten up in the synagogue and said, "I impose an oath on you that if you know any evidence concerning me, you come and give testimony about me"—
		B C	lo, these are exempt, unless he address himself to [some] of them in particular.
4:11	II	А	[If] he said to two people, "I impose an oath on you, Mr. So-and-so and Mr. So- and-so, that if you know evidence concerning me, you come and testify about me"—
		B C	"We swear that we know no evidence about you" but they do have evidence concerning him, consisting of what they have heard from a witness [M. San. 4:5],
		D E	or one of them is a relative or otherwise invalid to testify [M. 4:1]— lo, these are exempt.
4:12	III	A B	[If] he had sent through his slave [to impose the oath on the witnesses], or if the defendant had said to them, "I impose an oath on you, that if you know testimony concerning him, you come and give evidence concerning him,"
		C D	they are exempt, unless they hear [the oath] from the mouth of the plaintiff.
4:13		А	(1) "I impose an oath on you," (2) "I command you," (3) "I bind you,"—lo, these are liable.
		B C	"By heaven and earth," lo, these are exempt. (1) "By [the name of] <i>Alef-dalet</i> [Adonai]" or (2) " <i>Yud-he</i> [Yahweh]," (3) "By the Almighty," (4) "By Hosts," (5) "By him who is merciful and gracious," (6) "By
	Ι	D E	him who is long-suffering and abundant in mercy," or by any other euphemism— lo, these are liable. "He who curses making use of any one of these is liable," the words of R. Meir.
	I	F	And sages exempt.

- II G "He who curses his father or his mother with any one of them is liable," the words of R. Meir.
  - H And sages exempt.
- III I He who curses himself and his friend with any one of them transgresses a negative commandment.
  - J [If he said,] (1) "May God smite you," (2) "So may God smite you," this is [language for] an adjuration [conforming to] which is written in the Torah (Lev. 5:1).
  - K (3) "May he not smite you," (4) "may he bless you," (5) "may he do good to you"—
  - L R. Meir declares liable [for a false oath taken with such a formula].
  - M And sages exempt.

**5:1** IV A An oath concerning a bailment (Lev. 6:2ff.) applies to men and to women, to relatives and to strangers, to people suitable to give testimony and to people not suitable to give testimony,

- B before a court and not before a court,
- C from one's own mouth.
- D "But as to one from the mouth of others,
- E "he is liable only when he will deny [the claim] in court," the words of R. Meir.
- F And sages say, "Whether it is from his own mouth or from the mouth of others, once he has denied him, he is liable."
- G [If one took a false oath,] one is liable if he deliberately took a [false] oath, or [if he took one] in error, while deliberately [denying] bailment.
- H But one is not liable [if he] inadvertently [took a false oath in regard to a bailment].
- I And for what are they liable on account of deliberate violation?
- J A guilt offering which is worth [two] *shekels* of silver (Lev. 5:15).
- **5:2** A An oath concerning a bailment—how so?
  - B He said to him, "Give me my bailment which I have in your hand"
  - C "I swear that you have nothing in my hand"—
  - D or if he said to him, "You have nothing in my hand, " "I impose an oath on you, " and he said, "Amen"
  - E lo, this one is liable.
  - F [If] he imposed an oath on him five times, whether this is before a court or not before a court, and the other party denied it,
  - G he is liable for each count.
  - H Said R. Simeon, "What is the reason? Because [on each count] he has the power to retract and to confess [that he does have the bailment and will now return it]."
- **5:3** I A [If] five people laid claim on him and said to him, "Give us the bailment which we have in your hand"—
  - B "I swear that you have nothing in my hand"—
  - C he is liable on only one count.
  - D "I swear that you have nothing in my hand, nor you, nor you"—
  - E he is liable on each and every count.
  - F R. Eliezer says, "[This is so] only if he states the oath at the end."
  - G R. Simeon says, "[This is so] only if he will state an oath for each and every [claim]."

- II H "Give me my bailment, loan, stolen goods, and lost property [Lev. 6:2] which I have in your hand"—
  - I "I swear you have nothing in my hand"—
  - J he is liable on only one count.
  - K "I swear that you do not have in my hand a bailment, loan, stolen goods, or lost property"—
  - L he is liable for each and every count.
- III M "Give me the grain, barley, and spelt, which I have in your hand"
  - N "I swear you have nothing in my hand"—
  - O he is liable on only one count.
  - P "I swear that you have not got in my hand wheat, barley, or spelt"—
  - Q he is liable for each and every count.
  - R R. Meir says, "Even if he had said, 'Wheat, barley, and spelt,' [Ex. 9:31–32] he is liable on each and every count."
- 5:4 A "You raped and seduced my daughter"—
  - B and he says, "I did not rape and I did not seduce"
  - C "I impose an oath on you"—
  - D and he said, "Amen"—
  - E he is liable.
  - F R. Simeon declares him exempt,
  - G "since he does not pay a fine on the basis of his own testimony."
  - H They said to him, "Even though he does not pay a fine on the basis of his own testimony,
  - I "he does pay for humiliation and damages on the basis of his own testimony."
- 5:5 I A "You stole my ox,"—
  - B and he says, "I did not steal it"
  - C "I impose an oath on you,"
  - D and he said, "Amen"—
  - E he is liable.
  - F "I stole it, but I did not slaughter it, and I did not sell it"
  - G "I impose an oath on you"
  - H and he said, "Amen"—
  - I he is exempt.
  - II J "Your ox killed my ox"—
    - K and he said, "It did not kill"
      - L and he says, "I impose an oath on you"—
      - M and he said, "Amen"—
      - N he is liable.
      - O "Your ox killed my slave"—
      - P and he says, "It did not kill"—
      - Q "I impose an oath on you"—
      - R and he said, "Amen,"
    - S he is exempt.
  - III T [If] he said to him, "You injured me and made a wound on me,"
    - U and he said, "I did not injure you and I did not make a mark on you
      - V "I impose an oath on you"—
      - W and he said, "Amen"—
      - X he is liable.

- Y [If] his slave said to him, "You knocked out my tooth and you blinded my eye,"
- Z and he said, "I did not knock out your tooth or blind your eye,"
- AA and he said to him, "I impose an oath on you,"
- BB and he said to him, "Amen"—
- CC he is exempt.
- DD This is the governing principle: Whoever pays compensation on the basis of his own testimony is liable.
- EE And whoever does not pay compensation on the basis of his own testimony is exempt [in the case of these oaths].
- 6:1 A The oath imposed by judges [is imposed if] the claim is [at least] two pieces of silver, and the concession [on the part of the defendant is that he owes] at least a *perutah's* worth.
  - B If the concession is not of the same kind as the claim, [the defendant] is exempt.
  - C How so?

Ι

- D "Two pieces of silver I have in your hand"—
  - E "You have in my hand only a *perutah*"—
  - F he is exempt.
  - G "Two pieces of silver and a *perutah* I have in your hand"
  - H "You have in my hand only a *perutah*"—
  - I he is liable.
- J "A *maneh* I have in your hand,"
  - K "You have nothing at all in my hand"—
  - L he is exempt.
  - M "I have a *maneh* in your hand"—
  - N "You have nothing in my hand except for fifty *denars*"—
  - O he is liable.
- III P "A maneh belonging to my father you have in your hand"
  - Q "He has nothing in my hand but fifty *denars*"—he is exempt,
    - R for he is in the status of one who returns lost property.
- **6:2** I A "I have a *maneh* in your hand"
  - B before witnesses he said to him, "Yes"—
  - C On the next day he said to him, "Give it to me"—
  - D "I already gave it to you"—
  - E he is exempt.
  - F "You don't have anything in my hand"—
  - G he is liable [to pay].
  - H "I have a *maneh* in your hand,"
  - I and he said to him, "Yes."
  - J "Don't give it to me except before witnesses"—
  - K On the next day, he said to him, "Give it to me"—
  - L "I already gave it to you"—
  - M he is liable [to pay],
  - N because he has to hand it over to him before witnesses.
- **6:3** II A "I have a *litra* of gold in your hand"—
  - B "You have in my hand only a *litra* of silver"—
  - C he is exempt.

- D "A *denar* of gold I have in your hand"—
- E "You have in my hand only a *denar* of silver, a *terisit*, a *pondion*, and a *perutah*,"—
- F he is liable,

III

- G for all of them are kinds of a single coinage.
- H "I have a *kor* of grain in your hand"—
- I "You have in my hand only a *letekh* of pulse"—
  - J he is exempt.
  - K "A kor of produce I have in your hand"—
  - L "You have in my hand only a *letekh* of pulse"—
  - M he is liable.
  - N For pulse falls into the category of produce.
  - O [If] he claimed wheat and the other admitted to having barley, he is exempt.
  - P And Rabban Gamaliel declares him liable.
  - Q He who claims jars of oil from his fellow, and the other confessed to having flagons—
  - R Admon says, "Since he has confessed to him part of the claim in the same kind, he should take an oath to him."
  - S And sages say, "This confession is not of the same kind as that which is subject to claim."
  - T Said Rabban Gamaliel, "I prefer the opinion of Admon."
  - U [If] one laid claim against him for utensils and real estate, and the other party conceded the claim for utensils but denied the claim for real estate,
  - V or conceded the claim for real estate and denied the claim for utensils,
  - W he is exempt.
  - X [If] he conceded part of the real estate, he is exempt.
  - Y [If] he conceded part of the utensils, he is liable [to take an oath].
  - Z For property for which there is no security imposes the requirement of an oath in regard to property for which there is security.
- **6:4** A They do not take an oath in the case of a claim made by a deaf-mute, an idiot, or a minor.
  - B And they do not impose an oath upon a minor.
  - C But an oath is imposed in the case of a claim against [the property of] a minor,
  - D and against property which has been consecrated.
- 6:5 A And these are matters on account of which an oath is not imposed:
  - B [claims involving] slaves, bonds, real estate, and consecrated property.
  - C To these also do not apply twofold restitution or fourfold or fivefold restitution.
  - D [In the case of these] an unpaid bailiff is not subjected to an oath.
  - E [In the case of these] a paid bailiff does not pay compensation.
  - F R. Simeon says, "On account of Holy Things which one is liable to replace [should they be lost or stolen], an oath is imposed, and on account of those which one is not liable to replace, an oath is not imposed."
- **6:6** A R. Meir says, "There are things which are tantamount to being in the ground but still are not deemed to be immovable property like the ground."
  - B And sages do not concur with his view.
  - C How so?
  - D "Ten fruit-laden vines I handed over to you"—

- E and the other says, "They were only five"—
- F R. Meir imposes an oath.
- G And sages say, "Whatever is attached to the ground is like the ground."
- H They are forced to take an oath only in a matter involving a claim which specifies a concrete measure, weight, or number.
- I How so"
- J "A room full of goods I gave you," "A wallet full of money I gave to you,"
- K and this one says, "I don't know—but whatever you left is what you can take"—
- L he is exempt [from having to take an oath].
- M This one says, "[I gave you a heap of produce] as high as the projection, " and that one says, "It was only as high as the window,"
- N he is liable [to take an oath for denying the bailment].
- **6:7** A He who lends money to his fellow on the strength of a pledge, and the pledge got lost—
  - I B [The creditor] said to him, "I lent you a *sela* on the strength of it, but it was worth only a *shekel*,"
    - C and [the debtor] says to him, "Not so. But you lent me a *sela* on the strength of it, and it was worth a *sela*"—
    - D he is exempt.
    - E "A *sela* I lent you on the strength of it, and it was worth a *shekel*,"
    - F and the other says, "Not so. But a *sela* you lent to me on the strength of it, and it was worth three *denars*"—
    - G he is liable.

- H "A *sela* you lent to me on the strength of it, and it was worth two,
  - I and the other says, "Not so. But I lent you a *sela* on the strength of it, and it was worth a *sela*'—
    - J he is exempt.
    - K "A *sela* you lent me on the strength of it, and it was worth two,"
    - L and the other says, "Not so, but a *sela I* lent to you on the strength of it, and it was worth five *denars*"—
    - M he is liable.
    - N And upon whom is the oath imposed?
    - O Upon him with whom the bailment was left,
    - P lest this one take an oath, and the other one then produce the bailment.
- 7:1 A All those who are subjected to oaths which are [required] in the Torah take [said] oaths and do not pay [the claim against them].
  - B And these are those who take an oath and collect [what is owing to them]:
  - C (1) a hired hand, (2) the victim of a theft, (3) the victim of a beating, (4) he whose contrary litigant is not trusted [even if he takes] an oath, (5) and a shopkeeper concerning [what is written in] his account book.
  - I D A hired hand [C1]—how so?
    - E [If] he said to him, "Give me my wage, which you have in your hand"
    - F he says to him, "I already gave it to you,
    - G and this one says, "I never got it"—
    - H he takes an oath and collects [what he claims].
    - I R. Judah says, "[That is so] only if there is a concession of part of the claim.
    - J "How so?

Κ	"If he said to him,	'Give me my salary	of fifty denars wh	ich I have in your hand,'
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L "and the other party says, 'You already received a gold *denar* [half of what is owing to you]."

7:2	II	А	<i>The victim of a theft</i> [M. 7:1C2]—how so?
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- B [If people] were giving testimony against a person that he had gone into his house to exact a pledge without permission,
- C and [the victim of the theft] says, "You took my utensils,"
- D and the other party says, "I never took them"—
- E lo, this one takes an oath and collects [what he claims].
- F R. Judah says, "[That is so] only if there will be a concession of part of the claim.
- G "How so?
- H "He said to him, 'Two utensils of mine did you take,'
- I "and the other party says, 'I took only one of them.' "

#### **7:3** III A *The victim of a beating* [M. 7:1C3]—how so?

- B [If people] were giving testimony against a person that [the plaintiff] had gone into his [the defendant's] hand whole and come forth injured,
- C and he said, "You beat me up,"
- D and he says, "I never beat you up"—
- E lo, this one takes an oath and collects [compensation].
- F R. Judah says, "[That is so] only if there will be a concession of part of the claim.
- G "How so?

7:5

- H "If he said to him, 'You made two wounds on me,'
- I "and the other party said, 'I made only one on you.' "
- **7:4** IV A *He whose contrary litigant is not trusted [even if he takes] an oath* [M. 7:1C4]— how so?
  - B All the same are an oath regarding testimony, an oath regarding a bailment, and even a rash oath:
  - C [If] one of the litigants was a dice player, gave out loans on usury, [was] a pigeon racer, or a dealer in Seventh-Year produce [M. San. 3:3],
  - D the other litigant takes an oath and collects [his claim].
  - E "[If] both of them were suspect [in the matters just now listed], the oath returns to its normal place [and is taken by the one against whom the claim is made]," the words of R. Yose.
  - F R. Meir says, "Let them divide up [the claim at issue.]

# V A A storekeeper concerning [what is written in his] account book [M. 7:1C5]—how so?

- B It is not that he may say to him, "It is written in my account book that you owe me two hundred *zuz*."
- C But [if the householder] said to him, "Give my son two *seahs* of wheat," [or] "Give my worker change for a *sela*, "
- D and he says, "I already gave it to him,"
- E and they say, "We never got it"—
- F [the storekeeper] takes an oath and collects what is owing to him, and [the workers] take an oath and collect what they claim from the householder.

- G Said Ben Nannos, "How so?
- H "But these or those then are taking a vain oath!
- I "But: [The storekeeper] collects what is owing to him without taking an oath at all, and [the workers] collect what they claim [not to have received] without taking an oath."
- **7:6** I A [If] one said to the storekeeper, "Give me produce for a *denar*,"
  - B and he gave to him—
  - C he said to him, "Give me the *denar*,"
  - D he said to him, "I already gave it to you, and you put it in the till"—
  - E let the householder take an oath.
  - F If he gave him a *denar* and said to him, "Give me produce"—
  - G he said to him, "I already gave it to you and you brought it home"—
  - H let the storekeeper take an oath.
  - I R. Judah says, "Whoever has the produce in hand—his hand is on top."
  - J [If] he said to the money changer, "Give me small coins for a *denar*,
    - K and he gave them to him—

- L he said to him, "Give me the *denar*"—
- M he said to him, "I already gave it to you, and you put it in the till"—
- N let the householder take an oath.
- O If he gave him a *denar* and said to him, "Give me small change,"
- P he said to him, "I already gave them to you, and you tossed them into your wallet,"
- Q let the money changer take an oath.
- R R. Judah says, "It is not customary for a money changer to hand over even an *issar* before he collects his *denar*!"
- **7:7** A Just as they have said [M. Ket. 9:7], (1) A woman who impairs her marriage settlement collects only by taking an oath;
  - B (2) [if] a single witness testifies that it has been collected, she collects it only by taking an oath;
  - C (3) she collects from indentured property and from property belonging to the estate only by taking an oath;
  - D (4) she who collects her marriage settlement not in her husband's presence collects it only by taking an oath,
  - E so (5) heirs of an estate collect [debts owing to the deceased] only through an oath:
  - F "(1) We swear that father gave us no instructions [in this matter], (2) father said nothing to us about it, and (3) we did not find among his bonds evidence that this bond had been paid off."
  - G R. Yohanan b. Beroqah says, "Even if the son was born after the death of the father, lo, this one must take an oath before he collects [what is owing to the estate]—,
  - H Said Rabban Simeon b. Gamaliel, "If there are witnesses that the father had stated when he was dying, 'This bond has not yet been paid off,' [the son] may collect [the debt] without taking an oath."
- **7:8** A And these [must] take an oath even when there is no claim [laid against them]:
  - B (1) partners, (2) tenants, (3) guardians, (4) a woman who manages her household, and (5) a manager of a common legacy ("son of the household").
  - C [If] he said to him, "What is your claim against me?"—
  - D "I want you to take an oath to me"—

- E he is liable.
- F [Once] the partners have divided up the property, or the tenant farmers, then one cannot impose an oath upon the other.
- G [If the requirement to take] an oath happened to come upon him from some other source [cause],
- H they impose upon him an oath covering the entire [enterprise].
- I The advent of the Sabbatical Year releases the requirement to take an oath.
- **8:1** A There are four kinds of keepers: (1) an unpaid bailiff, (2) a borrower, (3) a paid bailiff, and (4) a renter.
  - B (1) An unpaid bailiff takes an oath under all circumstances.
  - C (2) A borrower pays compensation for damages in all circumstances.
  - D (3) A paid bailiff and (4) a renter take an oath on account of a beast which is lamed, driven off, taken for ransom, or deceased, but they pay compensation for what is lost or stolen.
  - I A [If] one said to an unpaid bailiff [M8:1A1], "Where is my ox?"
    - B (1) he said to him, "It died," but in fact it had been lamed, driven off, stolen, or lost,
    - C (2) "It was lamed," but in fact it had died, or been driven off, stolen, or lost,
    - D (3) "It was driven off," but in fact it had died, been lamed, stolen or lost,
    - E (4) "It was stolen," but in fact it had died, or been lamed, driven off, or lost,
    - F (5) "It was lost," but in fact it had died, been lamed, driven off, or stolen,
    - G "I impose an oath on you,"
    - H and he said, "Amen"—
    - I he is exempt.
- **8:3** A "Where is my ox?"

8:2

- B (1) and the bailiff said to him, "I have no idea what you're talking about, " but in fact it had died or been lamed or driven off or stolen or lost—
- C "I impose an oath on you,"
- D and he said to him, "Amen"—
- E he is exempt.
- F (2) "Where is my ox?"
- G He said to him, "It got lost"—
- H "I impose an oath on you"—
- I and he said, "Amen"—
- J and witnesses testify against him that he had eaten it—
- K he pays him compensation for the principal.
- L If he conceded on his own, he pays compensation for the principal, the added fifth, and a guilt offering.
- M (3) "Where is my ox?"
- N he said to him. "It was stolen"
- O "I impose an oath on you"
- P he said, "Amen"—
- Q and witnesses testify against him that he had stolen it—
- R he pays twofold compensation.
- S [If] he confessed on his own, he pays the principal, an added fifth, and a guilt offering [but not twofold compensation (M. 5:4)].

- (4) He said to someone in the market, "Where is my ox which you stole?" 8:4 А
  - and he says, "I never stole it," В
  - С but witnesses testify against him that he had stolen it-
  - D he pays twofold restitution.
  - [If] he had slaughtered and sold it, he pays fourfold or fivefold restitution. Е
  - F [If] he saw witnesses [to what he had done] coming along and said, "I stole it, but I never slaughtered or sold it,"
  - G he pays only the principal."

#### 8:5 Π He said to a borrower [M. 8:1A2], "Where is my ox?" А

- В (1) He said to him, "It died," but in fact it had been lamed or driven away, stolen, or lost—
- С (2) "It was lamed," but in fact it had died or been driven off or stolen or lost—
- (3) "It was driven off," but it had died or been lamed or stolen or lost-D
- E (4) "It was stolen," and in fact it had died or been lamed or driven off or lost—
- (5) "It was lost," and in fact it had died or been lamed, driven off, or stolen-F
- G "I impose an oath on you"
- and he said, "Amen"-Η
- he is exempt. Ι

#### 8:6 А "Where is my ox?"—

- He said to him, "I have no idea what you're talking about"-В
- С and it had in fact died or been lamed or driven off or stolen or lost-
- "I impose an oath on you" D
- and he said, "Amen"-E
- F he is liable.

Ι J

- III G If he said to a paid bailee or a renter [M. 8:1A3, 4], "Where is my ox?"
  - (1) he said to him, "It died," but in fact it had been lamed or driven off Η
    - (2) "It has been lamed," but in fact it had died or been driven off-
    - (3) "It has been driven off," and in fact it had died or been lamed—
  - (4) "It has been stolen," and in fact it had been lost— Κ
  - (5) "It has been lost," and in fact it had been stolen— L
  - "I impose an oath on you,"-Μ
  - and he said, "Amen"-Ν
  - 0 he is exempt.
  - Р "It died or was lamed or driven off," and in fact, it had been stolen or lost-
  - "I impose an oath on you," Q
  - and he said, "Amen"-R
  - S he is liable.
  - "It was lost or was stolen," but in fact it had died or been lamed or been driven Т off—
  - "I impose an oath on you," U
  - and he said, "Amen"-V
  - W he is exempt.
  - Х This is the governing principle: Whoever [by lying] changes [his claim] from one sort of liability to another sort of liability, from one count of exemption to another count of exemption, or from a count of exemption to a reason for liability, is exempt.

- Y [If he changed his claim, by lying] from grounds for liability to a reason for exemption [from having to make restitution], he is liable.
- Z This is the governing principle: Whoever [falsely] takes an oath so as to lighten the burden on himself is liable.
- AA Whoever takes an oath so as to make more weighty the burden on himself is exempt.

### EDUYYOT

- **1:1** I A Shammai says, "For all women it is sufficient [to be regarded as unclean by reason of menstruation] from the time [of their first having a flow]."
  - B Hillel says, "[It is retroactive] from the examination [at which the blood was found] to the examination [last made, before the blood was found],
  - C "and even for a number of days."
  - D And sages say, "[The rule is] not in accord with the opinion of this party nor in accord with the opinion of that party,
  - E "But [a woman is regarded as having been unclean only] during the preceding twenty-four hours [when] this lessens the period from the present examination to the last examination,
  - F "[and she is held to have been unclean only] during the period from examination to examination [when] this lessens the period of twenty-four hours."
  - G Every woman who has a fixed period—sufficient for her is her time.
  - H She who makes use of test rags—lo, this is equivalent to an examination,
  - I which lessens either the period of the twenty-four hours or the period from examination to examination.
- **1:2** II A Shammai says, "[Dough which is made] from a *qab* [of flour is liable] to a dough offering [Num. 15:20]."
  - B And Hillel says, "[Dough made] from two *qabs*."
  - C And sages say, "It is not in accord with the opinion of this party nor in accord with the opinion of that party,
  - D "But: [dough made] from a *qab* and a half of flour is liable to the dough offering."
  - E After the measures were expanded in size [so six Jerusalem *logs* were now deemed five new *logs*], they ruled:
  - F Dough made from five fourths of a *qab* is liable.
  - G R. Yose says, "[If it is made from exactly] five, it is exempt.
  - H "[If it is made from] five and a bit more, it is liable."
  - IIIAHillel says, "A full *hin* [three *qabs*] of drawn water [poured into a pool lacking<br/>forty *seahs* of suitable water] invalidates an immersion pool.
    - B (But a person is liable to say a teaching in the language of his master—)
    - C and Shammai says, "Nine *qabs*."
    - D And sages say, "It is not in accord with the opinion of this party or in accord with the opinion of that party."
    - E But: Two weavers came from the dung gate in Jerusalem and gave testimony in the name of Shemaiah and Abtalion:
    - F "Three *logs* [= 36 *qabs*] of drawn water invalidate an immersion pool."

1:3

- G And sages confirmed their report.
- **1:4** A And why do they record the opinion of Shammai and of Hillel to no purpose?
  - B To teach the generations to come that a person should not be stubborn about his opinion,
    - C for lo, the patriarchs of the world were not stubborn about their opinion.
- **1:5** A And why do they record the opinion of an individual along with that of the majority, since the law follows the opinion of the majority?
  - B So that, if a court should prefer the opinion of the individual, it may decide to rely upon it.
  - C For a court has not got the power to nullify the opinion of another court unless it is greater than it in wisdom and in numbers.
  - D [If] it was greater than the other in wisdom but not in numbers,
  - E in numbers but not in wisdom,
  - F it has not got the power to nullify its opinion—
  - G unless it is greater than it in both wisdom and numbers.
- **1:6** A Said R. Judah, "If so, why do they record the opinion of an individual against that of a majority to no purpose?
  - B "So that if a person should say, 'Thus have I received the tradition,' one may say to him, 'You have heard the tradition in accord with the opinion of Mr. So-and-so [against that of the majority].' "
- **1:7** I A The House of Shammai say, "A quarter-*qab* of bones from the bones, whether from two or from three corpses."
  - B And the House of Hillel say, "A quarter-*qab* of bones— from the body, from the greater part of the bone structure, or from the greater part of the number."
  - C Shammai says, "Even from one bone."
- **1:8** II A Vetches in the status of heave offering—
  - B The House of Shammai say, "They soak and shampoo with them in a state of cleanness, and they feed them to beasts in a state of uncleanness."
  - C And the House of Hillel say, "They soak them in a state of cleanness, and they shampoo with them and feed them to beasts in a state of uncleanness."
  - D Shammai says, "They are to be eaten dry."
  - E R. Aqiba says, "Everything done with them is done in a state of uncleanness."
- **1:9** A He who changes a *sela* which is in the status of second tithe
  - B The House of Shammai say, "One may change the whole *sela* for small coins."
  - C And the House of Hillel say, "For a *shekel* he takes silver, and for a *shekel* he takes small coins."
  - D R. Meir says, "They do not change silver and produce into silver."
  - E And sages permit.
- **1:10** III A He who changes a *sela* in the status of second tithe in Jerusalem
  - B the House of Shammai say, "One may change the whole *sela* for small coins."
  - C And the House of Hillel say, "For a *shekel* he takes silver, and for a *shekel* he takes small coins."

- D Those who dispute before sages say, "For three *denars*' worth he takes silver, and for one *denar*, small coins."
- E R. Aqiba says, "For three *denars*' worth he takes silver, a quarter of silver, and a quarter of small coins."
- F R. Tarfon says, "Four *Aspers* of silver."
- G Shammai says, "Let him leave it in a shop and gradually consume its value."
- **1:11** IV A A chair for a bride, from which the seat boards were removed—
  - B the House of Shammai declare unclean.
  - C And the House of Hillel declare clean.
  - D Shammai says, "Also: the frame of the chair [by itself, without a seat] is unclean."
    - E A chair which one affixed to a trough—

V

- F the House of Shammai declare unclean.
- G And the House of Hillel declare it clean.
- H Shammai says, "Also: one which is carved out inside of [the trough itself is unclean]."
- 1:12 A These are subjects in which the House of Hillel reverted and accepted the teaching of the House of Shammai:
   I B The woman who came back from overseas and said. "My husband has died." may
  - B The woman who came back from overseas and said, "My husband has died," may remarry.
    - C [If she said], "My husband has died," she may enter into levirate marriage.
    - D And the House of Hillel say, "We heard this rule only in the case of a woman who comes back from the grain harvest alone [in which case the husband is assumed to have died of sunstroke]."
    - E The House of Shammai said to them, "The same rule applies to the woman who comes back from the grain harvest, from the olive cutting, or from abroad. They spoke of the grain harvest only because of the case in hand."
    - F The House of Hillel reverted and accepted the teaching of the House of Shammai.
    - G The House of Shammai say, "She may remarry and collect her marriage settlement."
    - H And the House of Hillel say, "She may remarry, but she may not collect her marriage settlement."
    - I Said to them the House of Shammai, "You have permitted the matter involving sexual relations, which is subject to a severe rule. Will you not now permit the matter involving property, which is subject to a much more lenient rule?"
    - J Said to them the House of Hillel, "But we find that the brothers do not take over the estate [of the deceased] on the basis of her testimony."
    - K Said to them the House of Shammai, "But do we not learn the following from the contract covering her marriage settlement: 'If you marry another person, you will collect what is written over to you [in this document].'"
    - L The House of Hillel reverted and accepted the teaching of the House of Shammai.
- **1:13** II A "He who is half-slave and half-free works for his master one day and for himself one day," the words of the House of Hillel.
  - B Said to them the House of Shammai, "You have taken good care of his master, but of himself you have not taken care.
  - C "To marry a slave girl is not possible, for half of him after all is free.
  - D "[To marry] a free woman is not possible, for half of him after all is a slave.

- E "Shall he refrain?
- F "But was the world made only for procreation, as it is said, *He created it not a waste, he formed it to be inhabited* (Is. 45:18).
- G "But: For the good order of the world, "they force his master to free him.
- H "And he [the slave] writes him a bond covering half his value."
- I And the House of Hillel reverted to teach in accord with the opinion of the House of Shammai.
- **1:14** III A "A clay utensil affords protection [when it interposes between a corpse and other objects, for example, in a passageway] for all [kinds of substances]," in accord with the opinion of the House of Hillel.
  - B The House of Shammai say, "It affords protection only for food, drink, and other clay utensils [none of which may be cleaned in an immersion pool after becoming unclean]."
  - C Said to them the House of Hillel, "On what account?"
  - D Said to them the House of Shammai, "Because it is deemed unclean when it is in the domain of an *Am haares*, and a utensil which is susceptible to uncleanness cannot afford protection."
  - E Said to them the House of Hillel, "But have you not declared clean food or drink which is in [the clay utensil, which is impervious to uncleanness entering it from its outer surfaces]?"
  - F Said to them the House of Shammai, "When we declared food and drink located in [the clay utensil] to be clean [when protected by the outer surfaces of the clay utensil from a source of uncleanness], it was for [the *Am haares*] himself that we declared the food and drink to be clean.
  - G "But when you have declared the utensil to be clean, you have declared it to be clean [for use] both for the *Am haares* and for yourself."
  - H The House of Hillel reverted and accepted the teaching of the House of Shammai.
  - A R. Hananiah, Prefect of the Priests, gave testimony concerning four matters.
    - B "In the age [days] of the priests they never hesitated to burn meat made unclean by an Offspring of uncleanness together with meat made unclean by a Father of uncleanness,
      - C "even though they thereby add uncleanness to its uncleanness."
      - D Added R. Aqiba, "In the age [days] of the priests they never hesitated to burn oil made invalid by that which is in the status of uncleanness of having been immersed on the selfsame day, in a lamp which had been made unclean by corpse contamination,
      - E "even though they thereby add uncleanness to its uncleanness."
  - II A Said R. Hananiah, Prefect of the Priests, "In all my days I never saw a hide taken out to the place of burning."
    - B Said R. Aqiba, "From what he has said we learn that he who flays a firstling which turns out to be *terefah*—the priests [in any event] may make use of its hide."
    - C And sages say, "We have never seen does not constitute proof.
    - D "But it gets taken out to the place of burning."

2:1

Ι

### 2:2

2:3	III	А	Also: He gave testimony concerning a small town which was beside Jerusalem, in which there was an old man, who would lend money to all the townsfolk.
		В	And he would write out [the bond of indebtedness] in his own handwriting, and others sign it.
		С	And the case came before sages, who permitted doing so.
		D	Accordingly, you learn that a woman may write out her own writ of divorce,
		Ē	and a man may write out his own quittance [for having paid off the marriage settlement],
		F	for the confirmation of a writ is solely on the basis of the signatures of those who have signed it.
	IV	G	And concerning a needle found in the flesh [of a Temple offering],
		Н	that [in such a case, assuming the needle to have been unclean], the knife [with which the animal was slaughtered] and the hand remain clean, but the meat is unclean.
		Ι	But if it was found in the excrement, all is deemed clean.
2:4		А	Three matters did R. Ishmael state before sages in the vineyard in Yabneh:
	Ι	В	concerning a beaten-up egg which is put on top of vegetables which are in the status of heave offering,
		С	that it is deemed connected [to the vegetables].
		D	But if it was set over them in the shape of a kind of a cap, it is not deemed connected.
	II	E	And concerning the tip of an ear of grain left standing after the reaping, with its head touching the standing grain—
		F	if it is reaped together with the standing grain, lo, it belongs to the householder.
		G	And if not, lo, it belongs to the poor.
	III	Н	And concerning a small vegetable patch [surrounded by a wall] which is [made up] of trellised vines—
		Ι	if there is in the area a space sufficient for a grape gatherer with his basket on one side, and sufficient for a grape gatherer with his basket on the other side,
		J	it maybe sown.
		K	And if not, it may not be sown.
2:5		А	Three matters did they say before R. Ishmael, and he did not rule concerning them either to prohibit or to permit, and R. Joshua b. Matya worked them out.
	Ι	В	He who cuts open an abscess on the Sabbath—
		С	if it is to make an opening for it, he is liable.
		D	But if it is to draw out the pus from it, he is exempt.
	II	Е	And concerning him who traps a snake on the Sabbath—
		F	if he got involved with it so that it would not bite him, he is exempt.
		G	But if it was for purposes of healing, he is liable.
	III	Н	And concerning Ironian stewpots,
		Ι	that they are insusceptible to uncleanness when located in the Tent of a corpse,
		J	but that they are susceptible to uncleanness when carried by a Zab.
		Κ	R. Eleazar b. Sadoq says, "Also: when they are carried by a Zab, they are clean,
		L	"for the process of manufacturing them is not yet complete [until they are cracked open]."

**2:6** A Three matters did R. Ishmael state, and R. Aqiba did not concur with him:

	В	(1) Garlic, (2) unripe grapes, and (3) green ears of corn which one was pressing while it was still daylight [on the eve of the Sabbath]—				
	С	for R. Ishmael says, "He may complete [the work] after it gets dark."				
	D		R. Aqiba says, "He may not complete [the work after it gets dark]."			
2:7		А	Three things did they say before R. Aqiba, two in the name of R. Eliezer and one in the name of R. Joshua.			
		В	Two in the name of R. Eliezer:			
	Ι	C	"A woman may go out [on the Sabbath] wearing a 'golden city' [M. Shab. 6:1].			
	II	D	"And pigeon racers are not eligible to bear witness [M. San. 3:3]."			
	11	E	And one in the name of R. Joshua:			
	III	F	"The dead creeping thing in the mouth of a weasel, "and it is walking on top of			
		ľ	loaves of heave offering, "and it is in doubt whether [the creeping thing] touched them or did not touch them, "the condition of doubt is deemed clean."			
2:8		А	Three rulings did R. Aqiba state.			
		В	Concerning two of them they concurred with him, and concerning one of them they did not concur with him.			
	Ι	С	Concerning a sandal of lime burners, that it is susceptible to <i>midras</i> uncleanness;			
	II	D	and concerning the remnants of a [broken] oven, [that if they are] four handbreadths [in height, they remain susceptible to uncleanness],			
		E	for they would say, "Three"—			
		F	and they concurred with him.			
		G	And concerning one they did not concur with him,			
	III	Η	concerning a chair, two of the seat boards of which have been removed, side by side.			
		Ι	For R. Aqiba declares it [still] susceptible to uncleanness,			
		J	and sages declare it not susceptible.			
2:9	Α		ould say, "The father endows the son with (1) beauty, (2) power, (3) wealth, (4) m, (5) years, and (6) [the merits of] the number of generations which come before			
	В	which	is the end [of the earlier generations], as it is said, <i>Calling the generations from the ning</i> (Is. 41:4).			
	С	Even	though it is written, And they shall serve them and they shall afflict them for four ed years (Gen. 15:16),			
	D		is written, And in the fourth generation they shall come here again (Gen. 15:16).			
2:10	А	Also ł	ne would list five things which [last for] twelve months:			
	B		e judgment of the generation of the Flood is twelve months;			
	C	. ,	e judgment of Job is twelve months;			
	D	. ,	e judgment of the Egyptians is twelve months;			
	E		e judgment of Gog and Magog in the time to come is twelve months;			
	F		b) the judgment of the wicked in Gehenna is twelve months,			
	G		s said, It will be from one month until the same month [a year later] (Is. 66:23).			
	H	R. Yo	hanan b. Nuri says, "From Passover to Pentecost, as it is said, <i>From one Sabbath</i> <i>he next Sabbath</i> (Is. 66:23)."			

3:1	Ι	А	All things which contaminate in the Tent, which were divided, and [the divided
			parts of] which one brought into the house—

- B R. Dosa b. Harkinas declares clean.
- C And sages declare unclean.
- D How so?
- E He who touches two olive's bulk [segments] of the carrier or carries them—
- F and in the case of a corpse:
- G he who touches half an olive's bulk and overshadows half an olive's bulk,
- H or touches half an olive's bulk, and half an olive's bulk overshadows him,I overshadows two halves olive's bulks,
- J overshadows half an olive's bulk, and half an olive's bulk overshadows him—
- K R. Dosa b. Harkinas declares clean
- L And sages declare unclean.
- M But he who touches half an olive's bulk, and something else overshadows him and half an olive's bulk,
- N or overshadows half an olive's bulk and something else overshadows him and half an olive's bulk
- O is clean.
- P Said R. Meir, "Even in this case does R. Dosa b. Harkinas declare clean, and do sages declare unclean."
- Q Every [combination of modes of contamination] is unclean except for contact with carrying, and carrying with the Tent.
- R This is the general rule: Every case [in which contamination is] because of one mode of contamination is unclean; because of two categories is unclean.
- **3:2** II A "Separated pieces of [unclean] food do not join together [to form the requisite volume to impart uncleanness]," the words of R. Dosa b. Harkinas.

B And sages say,	, "They do join together."
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- III C "They redeem produce in the status of second tithe for unminted metal [which is then brought to Jerusalem for the purchase of produce in place of that sold to purchase the metal]," the words of R. Dosa
  - D And sages say, "They do not redeem [it in that currency]."
- IV E "They immerse [only] the hands [for preparing] purification water," the words of R. Dosa.
  - F And sages say, "If one's hands have been made unclean [for purposes of preparing purification water], his entire body has been made unclean [and must be wholly immersed in an immersion pool]."
- **3:3** V A The innards of melons and the outer leaves of vegetables in the status of heave offering—
  - B R. Dosa permits them to non-priests.
  - C And sages prohibit them.
  - VI D "A flock of five sheep which produce fleece, each worth a *maneh* and a half, are liable for the offering of the first fleece," the words of R. Dosa.
    - E And sages say, "Five sheep, however much fleece they produce."

# **3:4** VII A "All rush mats are susceptible [only] to corpse uncleanness [and not to *midras* uncleanness]," the words of R. Dosa.

B And sages say, "To *midras* uncleanness."

- VIII C "All network is insusceptible to uncleanness, except for what is used for a girdle," the words of R. Dosa.
  - D And sages say, "All network is susceptible to uncleanness, except for that used by wool dealers [for carrying raw wool]."
- **3:5** IX A A sling, the receptacle of which is woven, is susceptible to uncleanness.
  - B And that, [the receptacle of which] is of leather—
  - C R. Dosa b. Harkinas declares insusceptible.
  - D And sages declare it susceptible.
  - E [If] its finger hold was severed, it is insusceptible to uncleanness.
  - F [If] its thong hold [is severed], it is susceptible to uncleanness.
- **3:6** X A "A woman taken captive [and returned to her husband] continues to eat heave offering [when she returns to her husband, who is a priest]," the words of R. Dosa.
  - B And sages say, "There is a woman taken captive who may eat [heave offering], and there is a woman taken captive who may not do so.
  - C "How so?
  - D "The woman who says, 'I was taken captive, but I remain clean' eats [heave offering],
  - E "for the mouth which imposed a prohibition [on the person] is the mouth which released the prohibition [from that same person].
  - F "But if there were witnesses that she had been taken captive, while she says, 'I am clean,' she may not eat heave offering."
- **3:7** A Four matters of doubt does R. Joshua declare unclean, and do sages declare clean:
  - B How so?
  - C (1) the unclean person stands and the clean person passes—
  - D (2) the clean person stands and the unclean person passes by—
  - E (3) the unclean thing is in the private domain and the clean thing is in the public domain—
  - F (4) the clean thing is in the private domain and the unclean thing is in the public domain—
  - G it is a matter of doubt whether he touched or whether he did not touch—
  - H it is a matter of doubt whether he overshadowed or whether he did not overshadow—
  - I it is a matter of doubt whether he moved or whether he did not move—
  - J R. Joshua declares unclean.
  - K And sages declare clean.

**3:8** A Three matters does R. Sadoq declare unclean, and sages declare clean:

- B (1) the nail of the money changer, (2) the chest of the grist dealer, and (3) the nail of the sun dial—
- C R. Sadoq declares unclean.
- D And sages declare clean.

**3:9** A Four matters does Rabban Gamaliel declare unclean, and do sages declare clean:

- B the cover of a metal basket belonging to householders,
- C the hanger of a strigil,
- D metal utensils which are not fully formed,
- E and a plate broken in two.
- F But sages concur with Rabban Gamaliel in the case of a plate broken into two parts,

- G one large, one small,
- that the large one remains susceptible to uncleanness, and the small one is insusceptible to Η uncleanness.
- 3:10 А In three rulings does Rabban Gamaliel impose the stringent ruling, in accord with the opinion of the House of Shammai:
  - (1) They do not cover up hot food on the festival day for use on the Sabbath. В
  - С (2) And they do not put together a candlestick on the festival day.
  - D (3) And they do not bake bread into large loaves but into only small ones.
  - E Said Rabban Gamaliel, "Never in my father's house did they bake large loaves, but only small ones."
  - F They said to him, "What shall we make of your father's house? For they imposed on themselves a strict rule, while imposing a lenient rule for all Israelites,
  - "so that [Israelites] may bake large loaves and thick cakes." G
- 3:11 Also: He gave three rulings to impose a lenient opinion: А
  - (1) They serve food between the couches. В
  - С (2) And they put spices on the fire on the festival day.
  - (3) And they prepare a kid roasted whole on Passover night. D
  - E But sages prohibit.
- 3:12 А In three matters does R. Eleazar b. Azariah permit and do sages prohibit:
  - В (1) One's cow goes forth [on the Sabbath] with a strap which is between her horns [cf. M. Shah. 4:51:
    - С they curry cattle on a festival day;
    - and [on a festival day] they grind pepper in its pepper mill [in the normal manner]. D
    - E R. Judah says, "They do not curry cattle on the festival day,
    - F "because doing so makes a wound.
    - G "But they may comb them."
    - And sages say, "They do not curry them. Η
    - "Also: they do not comb them." I
- 4:1 А In these things the House of Shammai adopted the more lenient, and the House of Hillel the more stringent ruling:
  - An egg was laid on a festival day— В
    - The House of Shammai say, "It may be eaten." С
      - And the House of Hillel say, "It may not be eaten." D
  - Π E The House of Shammai say, "An olive's bulk of leaven and a date's bulk of what is leavened [are prohibited on Passover]."
    - F And the House of Hillel say, "An olive's bulk of either."
- A beast which was born on a festival day— all agree that it is permitted. А
  - A chicken which was hatched from an egg—all agree that it is forbidden. В
  - С He who slaughters a wild animal or a bird on a festival day—
    - The House of Shammai say, "He digs with a mattock and covers up [the blood]." D
    - And the House of Hillel say, "He does not slaughter unless he had dirt ready [to E cover up the blood]."

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		F	But they agree that if he had slaughtered, he may dig with a mattock and cover up [the blood],
		G	[and] that ashes of a stove may be regarded as set in readiness.
4:3	IV	А	The House of Shammai say, "[If produce is proclaimed] 'ownerless' for [the benefit only of] the poor, [it is accounted] ownerless [and tithe-free]."
		В	And the House of Hillel say, "[It is] ownerless [and tithe-free] only if [it is proclaimed] ownerless [equally] for [the benefit of the] rich, as in the year of Release."
	V	С	[If] the sheaves in a field were each of one <i>qab</i> 's weight, but one was of four <i>qabs</i> ; and one forgot it—
		D	The House of Shammai say, "It is not deemed a Forgotten Sheaf."
		Ε	And the House of Hillel say, "It is deemed a Forgotten Sheaf."
4:4	VI	А	A sheaf which lies near a wall, stack, oxen, or implements, which one forgot—
		В	The House of Shammai say, "It may not be deemed a Forgotten Sheaf."
		С	And the House of Hillel say, "It is deemed a forgotten sheaf."
4:5	VII	А	Fourth-year fruit—
		В	The House of Shammai say, "The rules of the [Added] Fifth and of Removal do not apply."
		С	And the House of Hillel say, "The rules of the Fifth and of Removal do apply."
	VIII	D	The House of Shammai say, "The laws of Grape-gleanings and of the Defective Cluster apply, and the poor redeem the grapes for themselves."
		Е	And the House of Hillel say, "The whole yield goes to the winepress."
4:6	IX	A	A jar of pickled olives— The Hauss of Shoreman and "One need not migrae it "
		B C	The House of Shammai say, "One need not pierce it." And the House of Hillel say, "One needs to pierce it."
		D	But they agree that if it had been pierced and the lees blocked up the breach, it is
		D	not susceptible to uncleanness.
	Х	Е	He who anointed himself with clean oil and then became unclean, and went down
			and immersed himself—
		F	The House of Shammai say, "Even though he still drips [with oil], it is clean."
		G	And the House of Hillel say, "[It is unclean so long as there remains] enough to anoint a small member."
	XI	Н	And if it was unclean oil at the outset—
		I	The House of Shammai say, "[It remains unclean, even after he has immersed
			himself, so long as there remains] enough to anoint a small member."
		J	And the House of Hillel say, "[So long as it remains] a moist liquid."
		K	R. Judah says in the name of the House of Hillel, "So long as it is moist enough to moisten aught else."
4:7	XII	А	"A woman is betrothed by [the gift of] a denar or a denar's worth," according to
		_	the words of the House of Shammai.
		B	And the House of Hillel say, "By a <i>perutah</i> or a <i>perutah</i> 's worth."
		С	And how much is a <i>perutah</i> ? The eighth part of an Italian <i>issar</i> .

- XIII D The House of Shammai say, "A man may dismiss his wife with an old bill of divorce."
  - E And the House of Hillel forbid.
  - F What is an old bill of divorce? [If] he continued alone with her after he had written it for her, [it becomes an old bill of divorce].
- XIV G He who divorces his wife and she spent the night with him in an inn—
  - H The House of Shammai say, "She does not need another bill of divorce from him."
  - I And the House of Hillel say, "She needs another bill of divorce from him."
  - J Under what circumstances? When she was divorced after wedlock.
  - K But if she had been divorced from him after betrothal [only], she does not need another bill of divorce from him,
  - L since he is not yet shameless before her.
- **4:8** XV A The House of Shammai permit levirate marriage between the co-wives and the surviving brothers.
  - B And the House of Hillel forbid it.
  - C [If] they performed *halisah*—
  - D The House of Shammai declare them ineligible to [marry] a priest.
  - E And the House of Hillel declare them eligible.
  - XVII F [If] they had been taken in levirate marriage—
    - G The House of Shammai declare them eligible.
      - H And the House of Hillel ineligible.
      - I Notwithstanding that these declare ineligible and the others declare eligible, yet the House of Shammai did not refrain from marrying women from the House of Hillel, nor the House of Hillel from marrying women from the House of Shammai.
      - J And [despite] all the disputes about what is clean and unclean, wherein these declare clean and the others declare unclean, neither refrained from making clean things with the other.
- **4:9** XVIII A Three brothers, two married to two sisters, and one unmarried, and one of the married brothers died, and the unmarried brother bespoke the widow, and then his second brother died—
  - B The House of Shammai say, "His [bespoken] wife abides with him, and the other is free as being his wife's sister."
  - C And the House of Hillel say, "He must put away his [bespoken] wife both by bill of divorce and by *halisah*, and his brother's wife by *halisah*."
  - D This is a case whereof they have said, "Woe to him because of [the loss of] his wife, and woe to him because of [the loss of] his brother's wife!"
- 4:10 XIX A He who vows to have no intercourse with his wife—
  - B The House of Shammai say, "[She may consent] for two weeks."
    - C And the House of Hillel say, "For one week [only]."
  - XX D She who miscarries on the night of the eighty-first day—
    - E The House of Shammai declare [her] exempt from an offering.
  - F And the House of Hillel declare [her] liable.
  - XXI G A linen garment, as to fringes—
    - H The House of Shammai declare exempt.
    - I And the House of Hillel declare liable.
  - XXII J A basket of fruit intended for the Sabbath—

		K L	The House of Shammai declare exempt [from tithes]. And the House of Hillel declare liable.
4:11	XXIII	А	He who vowed to be a Nazirite for a longer spell and fulfilled his Nazirite vow and afterward came to the Land [of Israel]—
		В	The House of Shammai say, "He [need continue] a Nazirite [only for] thirty days [more]."
		С	And the House of Hillel say, "He is a Nazir as from the beginning."
	XXIV	D	He against whom two pairs of witnesses testified— the one testified that he had vowed two Nazirite vows, and the other that he had vowed five—
		Ε	The House of Shammai say, "The testimony is at variance, and the Nazirite vow is not here."
		F	And the House of Hillel say, "The two are included within the five, so that he must be a Nazirite for two [spells]."
4:12	XXV	А	A man who was put there below the split—
		В	The House of Shammai say, "He does not give passage to uncleanness."
		С	And the House of Hillel say, "A man is hollow, and [his] upper side gives passage
			to uncleanness."
5:1		А	R. Judah says, "Six opinions of the House of Shammai's more lenient, and the House of Hillel's more stringent, rulings":
	Ι	В	The blood of carrion—
		С	The House of Shammai declare it clean.
		D	And the House of Hillel declare it unclean.
	II	E	An egg from a [bird's] carrion—"if it is in like condition to what is sold in the market, it is permitted. If not, it is forbidden," according to the words of the House of Shammai.
		F	And the House of Hillel forbid it [in any condition]. But they agree that an egg from a bird that is <i>terefah</i> is forbidden, since it grew in what was forbidden.
	III	G	The blood of a gentile woman and the blood of the purifying of a woman that is a leper —
		Н	The House of Shammai declare clean.
		Ι	And the House of Hillel say, "It is like to her spittle or her urine."
	IV	J	"They may eat Seventh-Year produce by favor [of the owner] or without favor," according to the House of Shammai.
		Κ	And the House of Hillel say, "They may only eat it by favor [of the owner]."
	V	L	A waterskin—
		Μ	The House of Shammai say, "[A waterskin can contract <i>midras</i> uncleanness] when it is tied up with a durable knot."
		Ν	And the House of Hillel say, "Even when it is not tied up."
5:2	Ι	А	R. Yose says, "Six opinions of the House of Shammai's more lenient, and the House of Hillel's more stringent, rulings":
		В	"Fowl may be served up on the table together with cheese, but it may not be eaten
		C	with it," according to the House of Shammai.
		С	And the House of Hillel say, "It may neither be served up with it nor eaten with it."

	II	D	"They separate heave offering from olives instead of from oil or from grapes
		E	instead of from wine," in accord with the words of the House of Shammai.
		E	And the House of Hillel say, "They do not give heave offering [from the one in behalf of the other]."
	III	F	He who sows seed within a space of four cubits [from the vines] of a vineyard—
	111	G	The House of Shammai say, "He renders forfeit one row."
		H	•
	IV		And the House of Hillel say, "He renders forfeit two rows." Flour paste—
	1 V	I J	1
			The House of Shammai declare exempt [from dough offering]. And the House of Hillel declare it liable.
	N/	K	
	V	L M	"They immerse themselves in a rain stream," according to the House of Shammai.
	<b>X</b> / <b>T</b>	M	And the House of Hillel say, "They do not immerse."
	VI	N	A man who became a proselyte on the day before Passover—
		0	The House of Shammai say, "He immerses himself and consumes his Passover
		P	offering in the evening."
		Р	And the House of Hillel say, "He that separates himself from his uncircumcision is
			like one that separates himself from the grave."
= 2			
5:3		А	R. Simeon [Ishmael] says, "Three opinions of the House of Shammai's more
	Ŧ	D	lenient, and the House of Hillel's more stringent, rulings":
	Ι	В	"[The Book of] Qohelet does not render the hands unclean," according to the House
		a	of Shammai.
		C	And the House of Hillel say, "It renders the hands unclean."
	II	В	Purification offering water which has served its purpose—
		E	The House of Shammai declare it clean.
		F	And the House of Hillel declare it unclean.
	III	G	Black cummin—
		Н	The House of Shammai declare insusceptible to uncleanness.
		I	And the House of Hillel declare it susceptible.
		J	So too [do they differ] concerning [whether it is liable to] Tithes.
5:4		٨	R. Eliezer [or, Eleazar] says, "Two opinions of the House of Shammai's more
3.4		А	lenient, and the House of Hillel's more stringent rulings":
	т	D	The blood of a woman who has not yet immersed herself after childbirth—
	Ι	B C	The House of Shammai say, "It is like spittle or her urine."
		D	
		Б Е	And the House of Hillel say, "It conveys uncleanness whether wet or dried up."
		E	But they [Shammaites] agree that if a woman gave birth while she had a flux, it
			renders unclean whether [the blood was] wet or dried up.
5:5	II	А	Four brothers, two of them married two sisters, and the ones who are married to the
0.0	11	11	two sisters died—
		В	the sisters must perform <i>halisah</i> and do not enter into levirate marriage.
		Б С	And if the brothers went ahead and married them, they must put them away.
		D	R. Eliezer [or, Eleazar] says in the name of the House of Shammai, "They may
		D	continue the marriage."
		Е	And the House of Hillel say, "They must put them away."
		Ц	The die frouse of filler say, They must put them away.
5:6		А	Aqabia b. Mahalalel gave testimony in four matters.
2.0		11	riquota o, manatator gave costiniony in rour matters.

- B They said to him, "Aqabia, retract the four rulings which you laid down, and we shall make you patriarch of the court of Israel."
- C He said to them, "It is better for me to be called a fool my whole life but not be deemed a wicked person before the Omnipresent for even one minute,
- D "so that people should not say, 'Because he craved after high office, he retracted.'"
- E He would declare unclean residual hair [in a leprosy sign] and
- II green blood [of a vaginal discharge].
- F And sages declare clean.

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- III G He would permit use of the wool which fell out in the case of a firstling which was blemished, and which one put away in a niche, and [which firstling] one afterward slaughtered.
  - H And sages prohibit.
- IV I He would say, "They do not administer bitter water [to test the woman accused of adultery] in the case of a proselyte woman or in the case of a freed slave girl."
  - J And sages say, "They do administer the test."
  - K They said to him, *M'SH B*: "Karkemit, a freed slave girl, was in Jerusalem, and Shemaiah and Abtalion administered the bitter water to her."
  - L He said to them, "They administered it to her to make her into an example."
  - M They excommunicated him, and he died while he was subject to the excommunication, so the court stoned his bier.
  - N Said R. Judah, "God forbid that Aqabia was excommunicated!
  - O "For the courtyard is never locked before any Israelite of the wisdom and fear of sin of a man like Aqabia b. Mahalalel.
  - P "But whom did they excommunicate? It was Eliezer b. Hanokh, who cast doubt on [the sages' ruling about] the cleanness of hands.
  - Q "And when he died, the court sent and put a stone on his bier."
  - R This teaches that whoever is excommunicated and dies while he is subject to the excommunication—they stone his bier.
- **5:7** A When he was dying, he said to his son, "My son, retract in the four rulings which I had laid down."
  - B He said to him, "And why do you retract now?"
  - C He said to him, "I heard the rulings in the name of the majority, and they heard them in the name of the majority, so I stood my ground on the tradition which I had heard, and they stood their ground on the tradition they had heard.
  - D "But you have heard the matter both in the name of an individual and in the name of the majority.
  - E "It is better to abandon the opinion of the individual and to hold with the opinion of the majority."
  - F He said to him, "Father, give instructions concerning me to your colleagues."
  - G He said to him, "I will give no instructions."
  - H He said to him, "Is it possible that you have found some fault with me?"
  - I He said to him, "No. It is your deeds which will bring you near, or your deeds which will put you off [from the others]."
- **6:1** A R. Judah b. Baba gave testimony concerning five matters:
  - B (1) that they instruct women married while minors to exercise the right of refusal;
  - C (2) that they permit a woman to remarry on the testimony of a single witness [that her husband has died];

- D (3) that a chicken was stoned in Jerusalem because it had killed a human being;
- E (4) concerning wine forty days old, that it may be poured out as a libation offering on the altar of the Temple;
- F and (5) concerning the morning daily whole offering, that it may be offered at the fourth hour.
- **6:2** A R. Joshua and R. Nehunya b. Elinatan of Kefar Habbabli testified [sing.] concerning a limb from a corpse [even less than an olive's bulk, if it is a complete limb] that it is unclean.
  - B [For] R. Eliezer says, "They spoke only about a limb from a living being [M. Oh. 1:7]."
  - C They said to him, "Is it not a *qal vehomer:* A limb which separates from the living being, which is clean, is unclean. A limb which separates from a corpse, which is unclean—will it not be unclean?"
  - D He said to them, "They spoke only about a limb from a living being.
  - E "Another matter: The uncleanness of living beings is greater than the uncleanness of corpses, for the living being [a *Zab*] renders that on which he lies and sits capable of rendering man and clothing unclean, and he also conveys *maddaf* uncleanness to what is above him, so that it conveys uncleanness to food and liquids, a kind of uncleanness the corpse does not convey."
- 6:3 A An olive's bulk of flesh which separates from a limb from a living being—
  - B R. Eliezer declares unclean [in a Tent, as if it were from a corpse].
  - C And R. Joshua and R. Nehunya declare it clean.
  - D A bone about a barley seed in bulk which separates from a limb from a living being—
  - E R. Nehunya declares unclean [in contact and carrying, like that from a corpse].
  - F And R. Eliezer and R. Joshua declare [it] clean.
  - G They said to R. Eliezer, "On what basis do you declare unclean an olive's bulk of flesh which separates from a limb from a living being?"
  - H He said to them, "We find that a limb from a living being is like a whole corpse. Just as an olive's bulk of flesh which separates from [the corpse] is unclean, so an olive's bulk of flesh which separates from the limb of a living being should be unclean."
  - I They said to him, "No. If you have declared unclean an olive's bulk of flesh which separates from the corpse, the reason is that you have declared unclean a bone as much as a barley seed which separates from it. But will you declare unclean an olive's bulk of flesh which separates from the limb of a living being, when you have declared clean [at M. 6:2] a bone as much as a barley seed which separates from him?" [Eliezer's inconsistency defeats him.]
  - J They said to R. Nehunya, "Why do you declare unclean the bone a barley seed in bulk which separates from a limb from a living being?"
  - K He said to them, "We have found that a limb from a living being is like a whole corpse. Now if a bone the size of a barley seed which separates from a corpse is unclean, so the bone the size of a barley seed which separates from a living being should be unclean."
  - L They said to him, "No. If you have declared unclean the bone a barley seed in size which separates from a corpse, you have also declared unclean flesh an olive's bulk which separates from him. But will you declare unclean a bone a barley seed's size which separates from a limb from a living being, when you have declared clean an olive's bulk of flesh which separates from him?" [Likewise, Nehunya is inconsistent.]
  - M They said to R. Eliezer, "For what reason did you divide your rules? Either declare unclean in both cases or declare clean in both cases."

- N He said to them, "Greater is the uncleanness of flesh than the uncleanness of bones, for flesh [uncleanness] applies both to corpses and to creeping things, which is not the case with bones. "Moreover, a limb which has the appropriate amount of flesh renders unclean through contact, carrying, and in a Tent; if it lacks flesh, it is [still] unclean; if it lacks bone, it is clean." [= Which depends on which?]
- O They said to R. Nehunya, "Why have you divided your rules? Either declare unclean in both cases, or declare clean in both cases."
- P He said to them, "Greater is the uncleanness of bones than the uncleanness of flesh, for flesh which separates from the living being is clean, but a bone which separates from him which is as it was created [in its natural state] is unclean.
- Q "Another matter: An olive's bulk of flesh renders unclean in contact and in carrying and in the Tent, and the greater part of the bones render unclean in touching, carrying and Tent. If the flesh is lacking, it is clean. If the greater part of the bones is lacking, even though it is clean so far as Tent is concerned, it renders unclean through contact and carrying.
- R "Another matter: All flesh of the corpse which is less than an olive's bulk is clean. But the greater part of the corpse's bulk and members, although they are not a quarter[-qab], is unclean."
- S They said to R. Joshua, "On what basis did you declare clean in both cases?"
- T He said to them, "No, if you have said so concerning the corpse, to which apply the terms 'greater part,' 'quarter,' and 'corpse mould,' will you say so concerning the living being, to which do not apply the terms 'greater part,' 'quarter,' and 'corpse mould'?"
- **7:1** I A R. Joshua and R. Sadoq gave testimony concerning the redemption lamb for a firstborn of an ass which died,
  - B that the priest has no right to any part of it.
  - C For R. Eliezer says, "They are liable to make it up [if it is lost] just as in the case with the five *selas* paid for the redemption of the firstborn."
  - D And sages say, "They are not liable to make it up, just as [one is not liable to make up] the money paid to redeem produce in the status of second tithe."
- **7:2** 1 A R. Sadoq gave testimony concerning brine made from unclean locusts that it is clean.
  - B For the first Mishnah holds: unclean locusts which were pickled with clean locusts—
  - C they have not invalidated their brine.
- **7:3** 2 A R. Sadoq gave testimony concerning flowing water which was more than dripping water [with which it was mixed],
  - B that the mixture is valid [as flowing water].
  - C There was a case in Birat Happilya, and the case came before sages, and they declared it valid.
- **7:4** 3 A R. Sadoq gave testimony concerning flowing water which one led through a channel made from nut leaves, that it is valid [as flowing water].
  - B There was a case in Ahaleya, and the case came before the court in the hewn-stone chamber, and they declared the water valid [as flowing water].

7:5	II	A R. Joshua and R. Yaqim of Hadar testified concerning a jar containing purification ashes which one placed on top of a dead creeping thing that it is unclean.
		B For R. Eliezer declares it clean.
		C Testified R. Pappyas concerning him who took a vow to be a Nazirite for two spells,
		D that if he cut his hair in connection with the first one on the thirtieth day, he cuts his hair with respect to the second one on the sixtieth day.
		E But if he cut his hair on the sixtieth day less one, he has carried out his obligation [to observe thirty days for the second spell],
		F for the thirtieth day counts toward the number [required for the second spell].
7:6	III	A Testified R. Joshua and R. Pappyas concerning an offspring of peace offerings, that it is to be offered as peace offerings.
		B For R. Eliezer says, "The offspring of peace offerings is not to be offered as peace offerings."
		C And sages say, "It is to be offered."
		D Said R. Pappyas, "I give testimony that we had a cow in the status of peace
		offerings, and we ate it on Passover and ate its offspring as peace offerings on the Festival [of Tabernacles].
7:7	IV	A They gave testimony concerning the boards of bakers, that they are susceptible to uncleanness.
		B For R. Eliezer declares [them] insusceptible.
	V	C They gave testimony concerning an oven which one cut up into rings, between each ring of which one put sand,
		D that it is susceptible to receive uncleanness.
		E For R. Eliezer declares it insusceptible.
		F They gave testimony that they intercalate the year at any time in Adar.
		G For they had said, "Only up to Purim."
		H They gave testimony that they intercalate the year conditionally.
		I <i>M'SH B</i> : Rabban Gamaliel went to ask for permission from the government in Syria and he did not come back right away, so they intercalated the year on the
		condition that Rabban Gamaliel would concur.
		J And when he came back, he said, "I concur."
		K So the year turned out to be deemed to have been intercalated.
7:8	А	Menahem b. Signai gave testimony concerning the rim around the boiler used by olive seethers, that it is susceptible to receive uncleanness.
	В	And that used by dyers is not susceptible to uncleanness.
	С	For they would say that matters are reversed.
7:9	А	Testified R. Yohanan b. Gudeggedah concerning (1) a deaf-mute, whose father married her off, that [if she should be divorced], she goes forth with a writ of divorce;
	В	and (2) concerning a minor Israelite girl who was married to a priest, that she eats heave offering,
	С	and if she died, her husband inherits her estate;
	D	and (3) concerning a stolen beam which one built into his house, that the original owner collects its value;

- E and (4) concerning a stolen sin offering, that was not publicly known, that it effects atonement—
- F (for the good order of the altar).
- **8:1** I A R. Joshua b. Beterah testified concerning blood deriving from carrion, that it is clean.
  - II B R. Simeon b. Beterah testified concerning ashes from a purification offering, part of which an unclean person touched,
    - C that [the unclean person] has imparted uncleanness to all of it.
  - III D Added R. Aqiba, "Fine flour, incense, frankincense, and coals, part of which one who had immersed on that selfsame day touched—
    - E "he has invalidated the whole quantity of them."
- 8:2 A Testified R. Judah b. Baba and R. Judah the Priest concerning a minor girl of Israelite caste who was married to a priest, that she eats food in the status of heave offering,
  - B once she has entered the marriage canopy,
  - C even though she has not actually had sexual relations.
  - D Testified R. Yose the Priest and R. Zekhariah b. Haqqassab concerning a girl who was left as a pledge in Ashkelon,
  - E and the members of her family put her out,
  - F even though witnesses concerning her gave testimony that she had not been alone [with a man] or been made unclean [by a man].
  - G Said to them sages, "If you believe that she was left as a pledge, you might as well believe that she was not alone with a man or made unclean, and if you don't believe that she was not alone with a man or made unclean, you might as well not believe that she was left as a pledge."
- 8:3 A Testified R. Joshua and R. Judah b. Beterah concerning a widow of an Israelite family suspected of contamination with unfit genealogical stock, that she is valid for marriage into the priesthood.
  - B For a woman deriving from an Israelite family suspect of contamination with unfit genealogical stock is herself valid for being declared unclean or clean, being put out and being brought near.
  - C Said Rabban (Simeon b.) Gamaliel, "We should accept your testimony. But what shall we do?
  - D "For Rabban Yohanan b. Zakkai decreed against calling courts into session for such a matter.
  - E "For the priests pay attention to you when it comes to putting someone out but not when it comes to drawing someone near."
- **8:4** A Testified R. Yose b. Yoezer of Seredah about (1) an *qamsa* locust, that it is clean [for eating];
  - B and about (2) liquid in the slaughterhouse, that it is insusceptible to uncleanness;
  - C and (3) that one who touches a corpse [alone, and not what that person in turn will touch] is unclean.
  - D And they called him Yose the Easy-going.

- **8:5** A Testified R. Aqiba in the name of Nehemiah of Bet Deli that they permit a woman to remarry on the evidence of a single witness [that her husband has died].
  - B Testified R. Joshua concerning bones which were found in the woodshed [of the Temple]—
  - C said sages, "One gathers them bone by bone, and all remain clean."
- **8:6** A Said R. Eliezer, "I heard [that] when they were building the Temple, they made curtains for the Temple and curtains for the courtyard.
  - B "But [the wall] of the Temple they built outside [of the veil], and that of the courtyard they build inside [the veil].
  - C Said R. Joshua, "I heard (1) that they make offerings even though there is no house [for the Temple altar].
  - D "And (2) they eat Most Holy Things, even though there are no hangings.
  - E "[And (3) that they eat] Lesser Holy Things and second tithe, even though there is no wall [around Jerusalem].
  - F "For the original act of consecration was valid both for its time and for all time to come."
- **8:7** A Said R. Joshua, "I have a tradition from Rabban Yohanan b. Zakkai, who heard it from his master, and his master from his master, as a law revealed to Moses at Sinai,
  - B "that Elijah is not going to come to declare unclean or to declare clean, to put out or to draw near,
  - C "but only to put out those who have been brought near by force, and to draw near those who have been put out by force."
  - D The family of the house of Seriphah was in Transjordan, and Ben Zion put it out by force.
  - E And there was another family there, which Ben Zion drew near by force.
  - F It is [families of] this sort that Elijah will come to declare unclean and to declare clean, to put out and to draw near.
  - G R. Judah says, "To draw near but not to put out."
  - H R. Simeon says, "To smooth out disputes."
  - I And sages say, "Not to put out or to draw near but to make peace in the world,
  - J "as it is said, "Behold I will send you Elijah the prophet … and he will return the heart of the fathers to the children, and the heart of the children to the fathers (Ma. 4:23–24)."

## ABODAH ZARAH

- **1:1** A Before the festivals of gentiles for three days it is forbidden to do business with them,
  - B (1) to lend anything to them or to borrow anything from them,
  - C (2) to lend money to them or to borrow money from them,
  - D (3) to repay them or to be repaid by them.
  - E R. Judah says, "They accept repayment from them, because it is distressing to him."
  - F They said to him, "Even though it is distressing to him now, he will be happy about it later."
- A R. Ishmael says, "Three days before them and three days after them it is prohibited."
   B And sages say, "Before their festivals it is prohibited, but after their festivals it is permitted."

- **1:3** A These are the festivals of gentiles:
  - B (1) Calends, (2) Saturnalia, (3) Cratesis [the commemoration of the empire],
  - C and (4) the emperor's anniversary, (5) his birthday, "and (6) the day of his death," the words of R. Meir.
  - D And sages say, "In any case of death rites in which there is a burning, there is idolatry, and in which there is no burning, there is no idolatry."
  - E (1) On the day on which [a gentile] shaves off his beard and lock of hair, (2) on the day on which he came up safely from an ocean voyage, (3) on the day on which he got out of prison,
  - F and a gentile who made a banquet for his son—
  - G it is prohibited for only that day, and in regard to only that individual alone [to enter into business relationships of any sort, as listed at M. 1:1].
- **1:4** A A city in which there is an idol—
  - B [in the area] outside of it it is permitted [to do business].
  - C [If] an idol was outside of it, [in the area] inside it is permitted.
  - D What is the rule as to going to that place?
  - E When the road is set aside for going to that place only, it is prohibited.
  - F E But if one is able to take that same road to some other place, it is permitted.
  - G A town in which there is an idol,
  - H and there were in it shops which were adorned and shops which were not adorned—
  - I this was a case in Beth Shean, and sages ruled, "Those which are adorned are prohibited, but those which are not adorned are permitted."
- **1:5** A These are things [which it is] forbidden to sell to gentiles:
  - B (1) fir cones, (2) white figs, (3) and their stalks, (4) frankincense, and (5) a white cock.
  - C R. Judah says, "It is permitted to sell him a white cock among other cocks.
  - D "And when it is all by itself, one cuts off its spur and sells it to him,
  - E "for they do not offer to an idol one which is lacking [a spur]."
  - F And as to everything else, [if] they are left without specification [as to their proposed use], it is permitted, but [if] they are specified [for use for idolatry], it is prohibited.
  - G R. Meir says, "Also fine dates, Hasab, and Nicolaus dates it is prohibited to sell to gentiles."
- **1:6** A In a place in which they are accustomed to sell small cattle to gentiles, they sell them.
  - B In a place in which they are accustomed not to sell [small cattle] to them, they do not sell them.
    - C And in every locale they do not sell them large cattle, calves, or foals, whether whole or lame.
    - D R. Judah permits in the case of lame ones.
    - E And Ben Beterah permits in the case of a horse.
- **1:7** A They do not sell them (1) bears or (2) lions, or (3) anything which is a public danger.
  - B They do not build with them (1) a basilica, (2) scaffold, (3) stadium, or (4) judges' tribunal.
  - C But they build with them (5) public bathhouses or (6) private ones.

- D [Once] they reach the vaulting on which they set up an idol, it is forbidden [to help build any longer].
- **1:8** A And they do not make ornaments for an idol:
  - B (1) necklaces, (2) earrings, or (3) finger rings.
    - C R. Eliezer says, "For a wage it is permitted."
    - D They do not sell them produce as yet unplucked.
    - E But one may sell it once it has been harvested.
    - F R. Judah says, "One may sell it to him with the stipulation that he will harvest it."
    - G "They do not rent them houses in the Land of Israel,
    - H "and, it goes without saying, fields.
    - I "But in Syria they rent them houses but not fields.
    - J "And abroad they sell them houses and rent them fields," the words of R. Meir.
    - K R. Yose says, "In the land of Israel they rent them houses but not fields;
    - L "in Syria they sell them houses and rent them fields;
    - M "and abroad they sell them both the one and the other."
- **1:9** A Even in the situation concerning which they have ruled [that they may] rent,
  - B it is not for use as a residence that they ruled that it is permitted, because he brings an idol into it,
  - C as it is said, You shall not bring an abomination into your house (Dt. 7:26).
  - D And in no place may one rent him a bathhouse, since it would be called by his [the Israelite's] name [and its use on the Sabbath will be attributed to the Israelite].
- **2:1** I A They do not leave cattle in gentiles' inns,
  - B because they are suspect in regard to bestiality.
  - II C And a woman should not be alone with them,
    - D because they are suspect in regard to fornication.
  - III E And a man should not be alone with them,
  - F because they are suspect in regard to bloodshed.
  - I G An Israelite girl should not serve as a midwife to a gentile woman,
    - H because she serves to bring forth a child for the service of idolatry.
    - I But a gentile woman may serve as a midwife to an Israelite girl.
    - J An Israelite girl should not give suck to the child of a gentile woman.
    - K But a gentile woman may give suck to the child of an Israelite girl,
      - L when it is by permission.
- **2:2** A They accept from them healing for property,
  - B but not healing for a person.

- C "And they do not allow them to cut hair under any circumstances," the words of R. Meir.
- D And sages say, "In the public domain it is permitted,
- E "but not if they are alone."
- **2:3** A These things belonging to gentiles are prohibited, and the prohibition affecting them extends to deriving any benefit from them at all:
  - B (1) wine, (2) vinegar of gentiles which to begin with was wine, (3) Hadrianic earthenware, and (4) hides pierced at the heart.

- C Rabban Simeon b. Gamaliel says, "When the tear in the hide is round, it is prohibited. [If it is] straight, it is permitted."
- D "Meat which is being brought into an idol is permitted.
- E "But that which comes out is prohibited,
- F "because it is like *sacrifices of the dead* (Ps. 106:28)," the words of R. Aqiba.
- G Those who are going to an idolatrous pilgrimage—it is prohibited to do business with them.
- H Those that are coming back—they are permitted.

**2:4** I A "Skins of gentiles and their jars, with Israelite wine collected in them—

- B "they are prohibited, and the prohibition affecting them extends to deriving benefit from them at all," the words of R. Meir.
- C And sages say, "The prohibition affecting them does not extend to deriving benefit from them."
- II D "Grape pits and grape skins belonging to gentiles are prohibited, and the prohibition affecting them extends to deriving any benefit from them at all," the words of R. Meir.
  - E And sages say, "[If] they are moist, they are forbidden. If they are dry, they are permitted."
- III F "Fish brine and Bithynian cheese belonging to gentiles are prohibited, and the prohibition of them extends to deriving any benefit from them at all," the words of R. Meir.
  - G And sages say, "The prohibition of them does not extend to deriving benefit from them."
- **2:5** A Said R. Judah, "R. Ishmael asked R. Joshua as they were going along the road.
  - B "He said to him, 'On what account did they prohibit cheese made by gentiles?'
  - C "He said to him, 'Because they curdle it with rennet from carrion.'
  - D "He said to him, 'And is not the rennet from a whole offering subject to a more stringent rule than rennet from carrion, and yet they have said, 'A priest who is not squeamish sucks it out raw?'
  - E But they did not concur with him and ruled, "It is not available for [the priests'] benefit, while it also is not subject to the laws of sacrilege."
  - F "He went and said to him, 'Because they curdle it with rennet of calves sacrificed to idols.'
  - G "He said to him, 'If so, then why have they not also extended the prohibition affecting it to the matter of deriving benefit from it?"
  - H "He moved him on to another subject.
  - I "He said to him, 'Ishmael, my brother, How do you read the verse: *For* your [masculine] *love is better than wine*, or, *Your* [feminine] *love is better than wine* (Song 1:2)?'
  - J "He said to him, 'For your [feminine] love is better than wine.'
  - K "He said to him, 'The matter is not so. For its neighbor teaches concerning it, '*Your* [masculine] *ointments have a goodly fragrance*' (Song 1:3).' "
- **2:6** A These are things of gentiles which are prohibited, but the prohibition of which does not extend to deriving benefit from them:
  - B (1) milk drawn by a gentile without an Israelite watching him; (2) their bread; and (3) their oil —
  - C (Rabbi and his court permitted their oil)—

- D (4) stewed and pickled [vegetables] into which it is customary to put wine and vinegar; (5) minced fish; (6) brine without fish floating in it; (7) *hileq* fish, (8) drops of asafoetida, and (9) sal-conditum—
- E lo, these are prohibited, but the prohibition affecting them does not extend to deriving benefit from them.
- **2:7** A These are things which [to begin with] are permitted for [Israelite] consumption:
  - B (1) milk which a gentile drew, with an Israelite watching him;
  - C (2) honey; and (3) honeycombs,
  - D even though they drip with moisture, they are not subject to the rule of imparting susceptibility to uncleanness as liquid)—
  - E (4) pickled [vegetables] into which it is not customary to put wine or vinegar; (5) unminced fish; (6) brine containing fish; (7) a [whole] leaf of asafoetida, and (8) pickled olive cakes.
  - F R. Yose says, "Those which are sodden are prohibited."
  - G Locusts which come from [the shopkeeper's] basket are forbidden.
  - H Those which come from the stock [of his shop] are permitted.
  - I And so is the rule for heave offering.
- **3:1** A "All images are prohibited,
  - B "because they are worshipped once a year," the words of R. Meir.
  - C And sages say, "Prohibited is only one which has in its hand a staff, bird, or sphere."
  - D Rabban Simeon b. Gamaliel says, "Any which has anything at all in its hand."
- **3:2** A He who finds the sherds of images—lo, these are permitted.
  - B [If] one found [a fragment] shaped like a hand or a foot, lo, these are prohibited,
  - C because objects similar to them are worshipped.
- **3:3** A He who finds utensils upon which is the figure of the sun, moon, or a dragon, should bring them to the Salt Sea.
  - B Rabban Simeon b. Gamaliel says, "[Those which are found] on objects of value are prohibited, but [those which are found] on objects of no worth are permitted."
  - C R. Yose says, "One breaks them into pieces and throws the powder to the wind or drops them into the sea."
  - D They said to him, "Also: they may be made into manure, as it is said, *And there will cleave nothing of a devoted thing to your hand* (Dt. 13:18)."
- **3:4** A Peroqlos b. Pelosepos asked Rabban Gamaliel in Akko, when he was washing in Aphrodite's bathhouse, saying to him, "It is written in your Torah, *And there shall cleave nothing of a devoted thing to your hand* (Dt. 13:18). How is it that you're taking a bath in Aphrodite's bathhouse""
  - B He said to him, "They do not give answers in a bathhouse."
  - C When he went out, he said to him, "I never came into her domain. She came into mine. They don't say, 'Let's make a bathhouse as an ornament for Aphrodite.' But they say, 'Let's make Aphrodite as an ornament for the bathhouse.'
  - D "Another matter: Even if someone gave you a lot of money, you would never walk into your temple of idolatry naked or suffering a flux, nor would you piss in its presence.

- E "Yet this thing is standing there at the head of the gutter and everybody pisses right in front of her."
- F It is said only, "... *their gods*" (Dt. 12:3)—that which one treats as a god is prohibited, but that which one treats not as a god is permitted.
- **3:5** A Gentiles who worship hills and valleys—
  - B these [hills or valleys] are permitted, but what is on them is forbidden [for Israelite use],
  - C as it is said, "You shall not covet the silver or gold that is upon them nor take it for yourself" (Dt. 7:28).
  - D R. Yose says, "Their gods are 'on the mountains,' and the mountains are not their gods."
  - E On what account is an *"asherah"* prohibited? Because it has been subject to manual labor, and whatever had been subject to manual labor is prohibited.
  - F Said R. Aqiba, "I shall interpret and explain the matter before you:
  - G In any place in which you find a high mountain, a lofty hill, or a green tree, you may take for granted that there is an idol there."
- **3:6** A He [the wall of] whose house was adjacent to [and also the wall of the temple of] an idol, and [whose house] fell down—
  - B it is forbidden to rebuild it.
  - C What should he then do?
  - D He pulls back to within four cubits inside his own property and then rebuilds his house.
  - E [If there was a wall belonging] both to him and to [the temple of an] idol, it is judged to be divided half and half.
  - F The stones, wood, and mortar deriving from [the wall belonging to a temple] impart uncleanness in the status of a dead creeping thing, for it is said, *You will utterly detest it* (Dt. 7:26).
  - G R. Aqiba says, "In the status of a menstruant['s uncleanness], as it is said, You shall cast them away as a menstruous thing; you shall say unto it, Get you hence (Is. 30:22).
  - H "Just as a menstruating woman imparts uncleanness to the one who carries her, so an idol imparts uncleanness to the one who carries it."
- **3:7** I A There are three sorts of houses [so far as use as a shrine for idolatry is concerned]:
  - B (1) a house which was built to begin with for the purposes of idolatry— lo, this is prohibited.
    - C (2) [If] one stuccoed and decorated it for idolatry and renovated it, one removes the renovations.
  - D (3) [If] one brought an idol into it and took it out—lo, this is permitted.
  - E There are three sorts of stones:

- F (1) a stone which one hewed to begin with for a pedestal—lo, this is forbidden.
- G (2) [If] one plastered it and adorned it for an idol, and did something new to it—
- H one may remove that which he made which is new.
- I (3) [If] he set up an idol on [an existing] stone and then took it off, lo, this is permitted.
- III J There are three kinds of *asherahs*:
  - K (1) A tree which one planted to begin with for idolatry—lo, this is prohibited.
  - L (2) [If] he chopped it and trimmed it for idolatry, and it sprouted afresh, he may remove that which sprouted afresh.
  - M (3) [If] he set up an idol under it and then annulled it, lo, this is permitted.
  - N What is an *asherah?* Any tree under which is located an idol.

- O R. Simeon says, "Any [tree] which people worship."
- P *M'SH B*: In Sidon there was a tree which people worshipped, and they found a pile of stones underneath it.
- Q Said to them R. Simeon, "Investigate the character of this pile of stones."
- R They did investigate it and found an image on it.
- S He said to them, "Since they are worshipping the image [and not the tree], let us permit them to make use of the tree [itself]
- **3:8** A One should not sit in its [an *asherah*'s] shade, but if he sat in its shade, he is clean.
  - B And he should not pass underneath it, but if he passed underneath it, he is unclean.
    - C [If] it was overshadowing public domain [taking away property from public use], and one passed beneath it, he is clean.
    - D And they sow seeds underneath it in the rainy season but not in the dry season.
    - E But as to lettuce, neither in the dry season nor in the rainy season [may one plant it there].
    - F R. Yose says, "Also: not vegetables in the rainy season,
    - G "because the foliage drops on them and serves as manure for them."
- 3:9
- A [If] one has taken pieces of wood from [an *asherah*], they are prohibited for benefit.
- I B [If] he lit a fire in the oven with them, if it is a new oven, it is to be overturned. If it is an old oven, it must be allowed to cool down.
- II C [If] he baked a loaf of bread in [the oven heated by the wood of an *asherah*], it is prohibited for benefit.
- III D [If] the loaf of bread was mixed up with other loaves of bread, all of them are prohibited as to benefit.
  - E R. Eliezer says, "Let him take the [funds received for the sale as a] benefit [from the tree] to the Salt Sea."
  - F They said to him, "There is no form of redemption for an idol."
- I G [If] one took a wood for a shuttle, it is forbidden for benefit.
- II H [If] he wove a garment with the shuttle, the garment is forbidden for benefit.
- III I [If] it was mixed up with other garments, and other garments with still others, all of them are forbidden for benefit.
  - J R. Eliezer says, "Let him take the funds derived from the benefit to the Salt Sea."
  - K They said to him, "There is no redemption price for a matter of idolatry."
- **3:10** A How does one desecrate [an *asherah*]? [If] one trimmed it or pruned it, took from it a branch or twig, even a leaf—
  - B lo, this constitutes desecration.
  - C [If] one has trimmed it for the good of [the tree], it remains forbidden.
  - D [If he trimmed it] not for the good of the tree, it is permitted.
- **4:1** A R. Ishmael says, "Three stones, one beside the other, beside Merkolis are forbidden.
  - B "Two are permitted."
  - C And sages say, "Those which appear to belong to it are forbidden,
  - D "and those which do not appear to belong to it are permitted."
- **4:2** A [If] one found on its head coins, clothing, or utensils, lo, these are permitted.
  - B [If one found] bunches of grapes, garlands of corn, jugs of wine or oil, or fine flour,
    - C or anything the like of which is offered on the altar—

- D it is forbidden.
- **4:3** A An idol which had a garden or a bathhouse—
  - B they derive benefit from them [when it is] not to the advantage [of the temple],
  - C but they do not derive benefit from them [when it is] to the advantage [of the temple].
  - D If it belongs both to [the Temple] and to other [parties], they derive benefit from them whether or not by favor.
- **4:4** A An idol belonging to a gentile is prohibited forthwith [when it is made].
  - B And one belonging to an Israelite is prohibited only after it will have been worshipped.
    - C A gentile has the power to nullify an idol belonging [either] to himself or his fellow.
  - D But an Israelite has not got the power to nullify an idol belonging to a gentile.
  - E He who nullifies an idol has nullified its appurtenances.
  - F [If] he nullified [only] its appurtenances, its appurtenances are permitted, but the idol itself [remains] prohibited.
- **4:5** A How does one nullify it?
  - B [If] he has cut off the tip of its ear, the tip of its nose, the tip of its finger,
  - C [if] he battered it, even though he did not break off [any part of] it,
  - D he has nullified it.
  - II E [If] he spit in its face, urinated in front of it, scraped it, threw excrement at it, lo, this does not constitute an act of nullification.
  - III F [If] he sold it or gave it as a pledge on a loan—
    - G Rabbi says, "He has nullified it."
      - H And sages say, "He has not nullified it."
- **4:6** A An idol, the worshippers of which have abandoned it in time of peace, is permitted.
  - B [If they abandoned it] in time of war, it is forbidden.
  - C Idol pedestals set up for kings—lo, these are permitted,
  - D since they set [images up on them only] at the time kings go by.
- **4:7** A They asked sages in Rome, "If [God] is not in favor of idolatry, why does he not wipe it away?"
  - B They said to them, "If people worshipped something of which the world had no need, he certainly would wipe it away.
  - C "But lo, people worship the sun, moon, stars, and planets.
  - D "Now do you think he is going to wipe out his world because of idiots?"
  - E They said to them, "If so, let him destroy something of which the world has no need, and leave something which the world needs!"
  - F They said to them, "Then we should strengthen the hands of those who worship these [which would not be destroyed], for then they would say, 'Now you know full well that they are gods, for lo, they were not wiped out!' "
- **4:8** A They purchase from gentiles [the contents of] a winepress which has already been trodden out,
  - B even though [the gentile] takes [the grapes] in hand and puts them on the heap ["apple"],
  - C for it is not made into wine used for libations until it drips down into the vat.
  - D [And if wine has] dripped down into the vat, what is in the cistern is prohibited,

- E while the rest is permitted.
- **4:9** A [Israelites] tread a winepress with a gentile [in the gentile's vat],
  - B but they do not gather grapes with him.
  - C An Israelite who prepares [his wine] in a state of uncleanness—
  - D they do not trample or cut grapes with him.
  - E But they do take jars with him to the winepress, and they bring them with him from the winepress.
  - F A baker who prepares bread in a state of uncleanness—
  - G they do not knead or cut out dough with him.
  - H But they may take bread with him to the dealer.
- **4:10** A A gentile who is found standing beside a cistern of wine—
  - B if he had a lien on the vat, it is prohibited.
  - C [If] he had no lien on it, it is permitted.
  - D [If] (1) he fell into the vat and climbed out,
  - E or (2) [if gentiles] measured it with a reed—
  - F [or (3) if] he flicked out a hornet with a reed,
  - G or [if] (4) he patted down the froth on the mouth of a jar—
  - H in regard to each of these there was a case,
  - I and [sages] ruled, "Let it be sold."
  - J And R. Simeon permits [Israelites even to make use of it].
  - K [If] (5) he took a jar and threw it in a fit of temper into the vat—
  - L this was a case,
  - M and they declared it valid.
- **4:11** A He who prepares the wine belonging to a gentile in a condition of cleanness, and leaves it in his domain,
  - B in a house which is open to the public domain,
  - C in a town in which there are both gentiles and Israelites—[the wine] is permitted.
  - D [If it is] in a town in which all the residents are gentiles, [the wine] is prohibited,
  - E unless he sets up a guard.
  - F And the guard need not sit there and watch [the room all the time].
  - G Even though he comes in and goes out, [the wine] is permitted.
  - H R. Simeon b. Eleazar says, "Whatever [was in] the domain of a gentile is subject to the same law [that a watchman is required whether or not the shop was open to the public domain, and whether or not the town was half-Israelite]."
- **4:12** A He who prepares the wine of a gentile in a condition of cleanness and leaves it in his domain,
  - B and the latter wrote for [the Israelite a receipt, saying], "I received its price from you"—it is permitted.
  - C But if an Israelite wants then to remove the wine, and [the gentile] would not let him do so unless he paid the price of the wine—
  - D this was a case in Bet Shean, and sages declared [the wine] forbidden.
- **5:1** A [A gentile] who hires an [Israelite] worker to work with him in the preparation of libation wine—

- B [the Israelite's] salary is forbidden.
- C [If] he hired him to do some other kind of work,
- D even though he said to him, "Move a jar of libation wine from one place to another,"
- E his salary is permitted.
- F He who hires an ass to bring libation wine on it—
- G its fee is forbidden.
- H [If] he hired it to ride on it,
- I even though the gentile [also] put a flagon [of libation wine] on it,
- J its fee is permitted.
- **5:2** A Libation wine which fell on grapes—
  - B one may rinse them off, and they are permitted.
  - C But if [the grapes] were split, they are prohibited.
  - D [If] it fell on figs or dates, if there is sufficient [libation wine absorbed] to impart a flavor [to them], they are forbidden.
  - E *M'SH B*: Boethus b. Zonen brought dried figs by ship, and a jar of libation wine broke open and dripped on them, and he asked sages, who permitted [the figs, once they had been rinsed].
  - F This is the governing principle: anything which bestows benefit through imparting a flavor is forbidden, and anything which does not bestow benefit through imparting a flavor is permitted—
  - G for example, vinegar [from libation wine] which falls on crushed beans.
- 5:3 I A A gentile who with an Israelite was moving jars of wine from place to place—
  - B if [the wine] was assumed to be watched, it is permitted.
  - C If [the Israelite] informed him that he was going away, [the wine is prohibited if he was gone] for a time sufficient to bore a hole and stop it up and [for the clay] to dry.
  - D Rabban Simeon b. Gamaliel says, "Time sufficient to open [the jar] and stop it up and for the clay to dry."
- **5:4** II A He who leaves his wine on a wagon or in a boat and went along by a shortcut, entered into a town and bathed—it is permitted.
  - B But if he informed [others] that he was going away,
  - C [the wine is prohibited if he was gone] for a time sufficient to bore a hole and stop it up and for the clay to dry.
  - D Rabban Simeon b. Gamaliel says, "Time sufficient to open [the jar] and stop it up and for the clay to dry."
  - III E He who leaves a gentile in a store,
    - F even though he is going out and coming in all the time—
    - G it is permitted.
    - H But if he informed him that he was going away,
    - I [the wine is prohibited if he was gone] for a time sufficient to bore a hole and stop it up and for the clay to dry.
    - J Rabban Simeon b. Gamaliel says, "Time sufficient to open [the jar] and stop it up and for the clay to dry."

- **5:5** A [If an Israelite] was eating with [a gentile] at the same time, and he put a flagon [of wine] on the table and a flagon on a side table, and he left it and went out—
  - B what is on the table is forbidden.
  - C But what is on the side table is permitted.
  - D And if he had said to him, "You mix and drink [wine]," even that which is on the side table is forbidden.
  - E Jars which are open are forbidden.
  - F And those which are sealed [are forbidden if he was gone] for a time sufficient to bore a hole and stop it up and for the clay to dry.
- 5:6 A A band of gentile [raiders] which entered a town in peacetime—
  - B open jars are forbidden, closed ones, permitted.
  - C [If it was] wartime, these and those are permitted,
  - D because there is no time for making a libation.
- **5:7** A Israelite craftsmen, to whom a gentile sent a jar of libation wine as their salary, are permitted to say to him, "Give us its value."
  - B But if it had already entered their possession, it is prohibited.
  - C He who sells his wine to a gentile [and] agreed on a price before he had measured it out—
  - D proceeds paid for it are permitted.
  - E [If] he had measured it out before he had fixed its price, proceeds paid for it are prohibited.
  - F [If] he took the funnel and measured it out into the flask of the gentile and then went and measured wine into the flask of an Israelite,
  - G if there remained [in the funnel] a drop of wine [from what had been poured into the gentile's flask, then what is in the Israelite's flask] is forbidden.
  - H He who pours [wine] from one utensil to another—
  - I that from which he emptied [the wine] is permitted.
  - J But that into which he emptied [the wine] is forbidden.
- **5:8** I A Libration wine is forbidden and imparts a prohibition [to wine with which it is mixed] in any measure at all.
  - II B [If it is] wine [poured] into wine, or [libation] water [poured] into water, in any quantity whatever [it is forbidden].
    - C [If it is] wine [poured] into water or water [poured] into wine, [it is forbidden] if it imparts flavor.
      - D This is the governing principle: [If it is] one species [poured] into its own species [B], [it is forbidden] in any measure at all.
      - E [If it is] not [poured] into its own species [C], it is forbidden if it imparts flavor.
- **5:9** A These are forbidden and impose a prohibition in any measure at all:
  - B (1) libation wine, (2) an idol, (3) hides with a hole at the heart, (4) an ox which is to be stoned, (5) a heifer, the neck of which is to be broken, (6) birds belonging to a *mesora*, (7) the hair cut off a Nazir (Num. 6:18), (8) the [unredeemed] firstborn of an ass (Ex. 13:13), (9) meat in milk, (10) the goat which is to be sent forth, (11) unconsecrated beasts which have been slaughtered in the Temple courtyard—
    - C lo, these are forbidden and impose a prohibition in any measure at all.
- **5:10** A Libration wine which fell into a vat—

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- B the whole of [the vat] is forbidden for benefit.
- C Rabban Simeon b. Gamaliel says, "Let the whole of it be sold to a gentile, except for the value of that volume of libation wine which is in it."
- **5:11** I A A stone winepress which a gentile covered with pitch—
  - B one dries it off, and it is clean.
  - II C And one of wood—
    - D Rabbi says, "Let him dry it off."
    - E And sages say, "Let him scale off the pitch."
  - III F And one of earthenware—
    - G even though one has scaled off the pitch, lo, this is forbidden.
- 5:12 A He who purchases utensils [for use with food] from a gentile—
  - I B that which is usually immersed one must immerse.
  - II C That which is usually scalded one must scald.
    - III D That which is usually heated to a white-hot flame one must heat to a white-hot flame.
      - E A spit or gridiron one must heat to a white-hot flame.
      - F A knife one must polish, and it is clean.

## ABOT

1:1		А	Moses received Torah at Sinai and handed it on to Joshua, Joshua to elders, and elders to prophets.
	Ι	B C	<ul> <li>And prophets handed it on to the men of the great assembly.</li> <li>They said three things:</li> <li>(1) "Be prudent in judgment.</li> <li>(2) "Raise up many disciples.</li> <li>(3) "Make a fence for the Torah."</li> </ul>
1:2	II	A B	<ul> <li>Simeon the Righteous was one of the last survivors of the great assembly.</li> <li>He would say: "On three things does the world stand:</li> <li>(1) "On the Torah,</li> <li>(2) "and on the Temple service,</li> <li>(3) "and on deeds of loving kindness."</li> </ul>
1:3	III	A B	<ul> <li>Antigonos of Sokho received [the Torah] from Simeon the Righteous.</li> <li>He would say,</li> <li>(1) "Do not be like servants who serve the master on condition of receiving a reward,</li> <li>(2) "but [be] like servants who serve the master not on condition of receiving a reward.</li> <li>(3) "And let the fear of Heaven be upon you."</li> </ul>
1:4	Ι	А	Yose b. Yoezer of Seredah and Yose b. Yohanan of Jerusalem received [it] from them.

		В	<ul> <li>Yose b. Yoezer says,</li> <li>(1) "Let your house be a gathering place for sages.</li> <li>(2) "And wallow in the dust of their feet.</li> <li>(3) "And drink in their words with gusto."</li> </ul>
1:5		А	<ul> <li>Yose b. Yohanan of Jerusalem says,</li> <li>(1) "Let your house be wide open.</li> <li>(2) "And seat the poor at your table ["make members of your household"].</li> <li>(3) "And don't talk too much with women."</li> </ul>
		В	(He spoke of a man's wife, all the more so is the rule to be applied to the wife of one's fellow. In this regard did sages say, "So long as a man talks too much with a woman, (1) he brings trouble on himself, (2) wastes time better spent on studying Torah, and (3) ends up an heir of Gehenna.")
1:6	II	A B	Joshua b. Perahiah and Nittai the Arbelite received [it] from them. Joshua b. Perahiah says, (1) "Set up a master for yourself. (2) "And get yourself a fellow disciple. (3) "And give everybody the benefit of the doubt."
1:7		Α	<ul> <li>Nittai the Arbelite says,</li> <li>(1) "Keep away from a bad neighbor.</li> <li>(2) "And don't get involved with a wicked man.</li> <li>(3) "And don't give up hope of retribution."</li> </ul>
1:8	Ш	A B	<ul> <li>Judah b. Tabbai and Simeon b. Shatah received [it] from them.</li> <li>Judah b. Tabbai says,</li> <li>(1) "Don't make yourself like one of those who make advocacy before judges [while you yourself are judging a case].</li> <li>(2) "And when the litigants stand before you, regard them as guilty.</li> <li>(3) "And when they leave you, regard them as acquitted, (when they have accepted your judgment.)"</li> </ul>
1:9	А	(1) "Ez (2) "A	n b. Shatah says, xamine the witnesses with great care. nd watch what you say, st they learn from what you say how to lie."
1:10	IV	A B	<ul> <li>Shemaiah and Abtalion received [it] from them.</li> <li>Shemaiah says,</li> <li>(1) "Love work.</li> <li>(2) "Hate authority.</li> <li>(3) "Don't get friendly with the government."</li> </ul>
1:11	A	(1) "Sa Lest ye water,	on says, ages, watch what you say, " ou become liable to the punishment of exile, and go into exile to a place of bad and disciples who follow you drink [bad water] and die, and the name of heaven be y profaned."

1:12	V	A B	<ul><li>Hillel and Shammai received [it] from them.</li><li>Hillel says,</li><li>(1) "Be disciples of Aaron,</li><li>"loving peace and pursuing peace, loving people and drawing them near to the</li></ul>
			Torah."
1:13	А	(1) "A (2) "A (3) "A	uld say [in Aramaic], name made great is a name destroyed. nd one who does not add subtracts. nd who does not learn is liable to death. nd the one who uses the crown passes away."
1:14	А	(1) "If (2) "A	uld say, I am not for myself, who is for me? nd when I am for myself, what am I? nd if not now, when?"
1:15	A	(1) "M (2) "Sa	nai says, ake your learning of Torah a fixed obligation. ay little and do much. reet everybody cheerfully."
1:16	Ι	A	<ul> <li>Rabban Gamaliel says,</li> <li>(1) "Set up a master for yourself.</li> <li>(2) "Avoid doubt.</li> <li>(3) "Don't tithe by too much guesswork."</li> </ul>
1:17	Π	A	<ul> <li>Simeon his son says,</li> <li>(1) "All my life I grew up among the sages, and I found nothing better for a person [the body] than silence.</li> <li>(2) "And not the learning is the main thing but the doing.</li> <li>(3) "And whoever talks too much causes sin</li> </ul>
1:18	III	A	<ul> <li>Rabban Simeon b. Gamaliel says, "On three things does the world stand:</li> <li>(1) "on justice,</li> <li>(2) "on truth,</li> <li>(3) "and on peace,</li> </ul>
		В	"as it is said, <i>Execute the judgment of truth and peace in your gates</i> (Zech. 8:16)."
2:1	Ι	A	Rabbi says, "What is the straight path which a person should choose for himself? Whatever is an ornament to the one who follows it, and an ornament in the view of others.
	Π	В	"Be meticulous in a small religious duty as in a large one, for you do not know what sort of reward is coming for any of the various religious duties.
		С	"And reckon with the loss [required] in carrying out a religious duty against the reward for doing it,
		D	"and the reward for committing a transgression against the loss for doing it.

	III	Е	"And keep your eye on three things, so you will not come into the clutches of transgression:
		F	"Know what is above you:
		G	"(1) An eye which sees, and (2) an ear which hears, and (3) all your actions are written down in a book."
2:2	Ι	A	Rabban Gamaliel, son of R. Judah the Patriarch, says, "Fitting is learning in Torah along with a craft, for the labor put into the two of them makes one forget sin.
		В	"And all learning of Torah which is not joined with labor is destined to be null and cause sin.
	II	С	"And all who work with the community— let them work with them for the sake of Heaven.
		D	"For the merit of their fathers strengthens them, and their [fathers'] righteousness stands forever.
		Ε	"And as for you, I credit you with a great reward, as if you had done [all of the work required by the community on your own merit alone]."
2:3	III	А	"Be wary of the government, for they get friendly with a person only for their own convenience.
		В	"They look like friends when it is to their benefit, but they do not stand by a person when he is in need."
2:4	IV	А	He would say, "Make his wishes into your own wishes, so that he will make your wishes into his wishes.
		В	"Put aside your wishes on account of his wishes, so that he will put aside the wishes of other people in favor of your wishes."
	Ι	С	Hillel says, "Do not walk out on the community.
	II	D	"And do not have confidence in yourself until the day you die.
	III	E	"And do not judge your fellow until you are in his place.
	IV	F	"And do not say anything which cannot be heard, for in the end it will be heard.
	V	G	"And do not say, 'When I have time, I shall study," for you may never have time."
2:5	A	pious,	buld say, (1) "A coarse person will never fear sin, (2) nor will an <i>Am haares</i> ever be (3) nor will a shy person learn, (4) nor will an intolerant person teach, (5) nor will e too busy in business get wise.
	В	•	place in which there are no men, try to act like a man."
2:6	A		he saw a skull floating on the water and said to it, "Because you drowned others, rowned you, and in the end those who drowned you will be drowned."
2:7	А	lots of	buld say, "(1) Lots of meat, lots of worms; (2) lots of property, lots of worries; (3) women, lots of witchcraft; (4) lots of slave girls, lots of lust; (5) lots of slave boys, robbery.
	В	"(6) L	ots of Torah, lots of life; (7) lots of discipleship, lots of wisdom; (8) lots of counsel, Sunderstanding; (9) lots of righteousness, lots of peace."
	С	"[If] o	ne has gotten a good name, he has gotten it for himself.
	D	"[If] h	e has gotten teachings of Torah, he has gotten himself life eternal."

- **2:8** A Rabban Yohanan b. Zakkai received [it] from Hillel and Shammai.
  - B He would say, "(1) If you have learned much Torah, (2) do not puff yourself up on that account, (3) for it was for that purpose that you were created."
  - C He had five disciples, and these are they: R. Eliezer b. Hyrcanus, R. Joshua b. Hananiah, R. Yose the priest, R. Simeon b. Netanel, and R. Eleazar b. Arakh.
  - D He would list their good qualities:
  - E R. Eliezer b. Hyrcanus: A plastered well, which does not lose a drop of water.
  - F R. Joshua: Happy is the one who gave birth to him.
  - G R. Yose: A pious man.
  - H R. Simeon b. Netanel: A man who fears sin.
  - I And R. Eleazar b. Arakh: A surging spring.
  - J He would say, "If all the sages of Israel were on one side of the scale, and R. Eliezer b. Hyrcanus were on the other, he would outweigh all of them."
  - K Abba Saul says in his name, "If all of the sages of Israel were on one side of the scale, and R. Eliezer b. Hyrcanus was also with them, and R. Eleazar [b. Arakh] were on the other side, he would outweigh all of them."
- **2:9** A He said to them, "Go and see what is the straight path to which someone should stick."
  - B R. Eliezer says, "A generous spirit."
  - C R. Joshua says, "A good friend."
  - D R. Yose says, "A good neighbor."
  - E R. Simeon says, "Foresight."
  - F R. Eleazar says, "Good will."
  - G He said to them, "I prefer the opinion of R. Eleazar b. Arakh, because in what he says is included everything you say."
  - H He said to them, "Go out and see what is the bad road, which someone should avoid."
  - I R. Eliezer says, "Envy."
  - J R. Joshua says, "A bad friend."
  - K R. Yose says, "A bad neighbor."
  - L R. Simeon says, "Defaulting on a loan."
  - M (All the same is a loan owed to a human being and a loan owed to the Omnipresent, blessed be he, as it is said, *The wicked borrows and does not pay back, but the righteous person deals graciously and hands over [what he owes]* [Ps. 37:21].)
  - N R. Eleazar says, "Bad will."
  - O He said to them, "I prefer the opinion of R. Eleazar b. Arakh, because in what he says is included everything you say."
- **2:10** A They [each] said three things.
  - B R. Eliezer says, "(1) Let the respect owing to your fellow be as precious to you as the respect owing to you yourself.
  - C "(2) And don't be easy to anger.
  - D "(3) And repent one day before you die.
  - E "And (1) warm yourself by the fire of the sages, but be careful of their coals, so you don't get burned.
  - F <sup>(2)</sup> For their bite is the bite of a fox, and their sting is the sting of a scorpion, and their hiss is like the hiss of a snake.
  - G "(3) And everything they say is like fiery coals."

- **2:11** A R. Joshua says, "(1) Envy, (2) desire of bad things, and (3) hatred for people push a person out of the world."
- **2:12** A R. Yose says, "(1) Let your fellow's money be as precious to you as your own.
  - B "And (2) get yourself ready to learn Torah,
    - C "for it does not come as an inheritance to you.
    - D "And (3) may everything you do be for the sake of Heaven."
- **2:13** A R. Simeon says, "(1) Be meticulous in the recitation of the *shema* and the Prayer.
  - B "And (2) when you pray, don't treat your praying as a matter of routine.
  - C "But let it be a [plea for] mercy and supplication before the Omnipresent, blessed be he.D "As it is said, For he is gracious and full of compassion, slow to anger and full of mercy,
    - and repents of the evil (Joel 2:13).
  - E "(3) And never be evil in your own eyes."
- **2:14** A R. Eleazar says, "(1) Be constant in learning of Torah.
  - B "(2) And know what to reply to an Epicurean.
  - C "(3) And know before whom you work,
  - D "for your employer can be depended upon to pay your wages for what you can do."
- **2:15** A R. Tarfon says, "(1) The day is short, (2) the work formidable, (3) the workers lazy, (4) the wages high, (5) the employer impatient."
- **2:16** I A He would say, "It's not your job to finish the work, but you're not free to walk away from it.
  - II B "If you have learned much Torah, they will give you a good reward.
  - III C "And your employer can be depended upon to pay your wages for what you do.
    - D "And know what sort of reward is going to be given to the righteous in the coming time."
- **3:1** A Aqabiah b. Mehallalel says, "Reflect upon three things and you will not fall into the clutches of transgression:
  - B "Know (1) from whence you come, (2) whither you are going, and (3) before whom you are going to have to give a full account [of yourself]
  - C *"From whence do you come?* From a putrid drop.
  - D *"Whither are you going?* To a place of dust, worms, and maggots.
  - E *"And before whom are you going to give a full account of yourself?* Before the King of kings of kings, the Holy One, blessed be he."
- **3:2** A R. Hananiah, Prefect of the Priests, says, "Pray for the welfare of the government.
  - B "For if it were not for fear of it, one man would swallow his fellow alive."
  - C R. Hananiah b. Teradion says, "[If] two sit together and between them do not pass teachings of Torah, lo, this is a *seat of the scornful*,
  - D "as it is said, Nor sits in the seat of the scornful (Ps. 1:1).
  - E "But two who are sitting, and words of Torah do pass between them—the Presence is with them,

F	"as it is said, Then they that feared the Lord spoke with one another, and the Lord hearkened and heard, and a book of remembrance was written before him, for them that feared the Lord and gave thought to His name (Mal. 3:16)."
G	I know that this applies to two.
Η	How do I know that even if a single person sits and works on Torah, the Holy One, blessed be he, sets aside a reward for him?
Ι	As it is said, Let him sit alone and keep silent, because he has laid it upon him (Lam. 3:28).
А	R. Simeon says, "Three who ate at a single table and did not talk about teachings of Torah while at that table are as though they ate from <i>dead sacrifices</i> (Ps. 106:28),
В	"as it is said, For all tables are full of vomit and filthiness [if they are] without God (Ps. 106:28).
С	"But three who ate at a single table and did talk about teachings of Torah while at that table are as if they ate at the table of the Omnipresent, blessed is he,
D	"as it is said, And he said to me, This is the table that is before the Lord (Ez. 41:22)."
А	R. Hananiah b. Hakhinai says, "(1) He who gets up at night, and (2) he who walks around by himself, and (3) he who turns his desire to emptiness—lo, this person is liable for his life."
А	R. Nehunya b. Haqqaneh says, "From whoever accepts upon himself the yoke of Torah do they remove the yoke of the state and the yoke of hard labor.
В	"And upon whoever removes from himself the yoke of the Torah do they lay the yoke of the state and the yoke of hard labor."
А	R. Halafta of Kefar Hananiah says, "Among ten who sit and work hard on Torah the Presence comes to rest,
В	"as it is said, God stands in the congregation of God (Ps. 82:1).
С	"And how do we know that the same is so even of five? For it is said, And he has founded his group upon the earth (Am. 9:6).
D	"And how do we know that this is so even of three? Since it is said, <i>And he judges among the judges</i> (Ps. 82:1).
E	"And how do we know that this is so even of two? Because it is said, <i>Then they that feared the Lord spoke with one another, and the Lord hearkened and heard</i> (Mal. 3:16).
F	"And how do we know that this is so even of one? Since it is said, <i>In every place where I record my name I will come to you and I will bless you</i> (Ex. 20:24)."
А	R. Eleazar of Bartota says, "Give him what is his, for you and yours are his.
В	"For so does it say about David, For all things come of you, and of your own have we given you (I Chron. 29:14)."
С	R. Simeon says, "He who is going along the way and repeating [his Torah tradition] but interrupts his repetition and says, 'How beautiful is that tree! How beautiful is that ploughed field!'— Scripture reckons it to him as if he has become liable for his life."
А	R. Dosetai b. R. Yannai in the name of R. Meir says, "Whoever forgets a single thing from what he has learned—Scripture reckons it to him as if he has become liable for his life,
В	"as it is said, Only take heed to yourself and keep your soul diligently, lest you forget the words which your eyes saw (Dt. 4:9)."

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- C Is it possible that this is so even if his learning became too much for him?
- D Scripture says, Lest they depart from your heart all the days of your life.
- E Thus he becomes liable for his life only when he will sit down and actually remove [his learning] from his own heart.
- **3:9** I A R. Haninah b. Dosa says, "For anyone whose fear of sin takes precedence over his wisdom, his wisdom will endure.
  - B "And for anyone whose wisdom takes precedence over his fear of sin, his wisdom will not endure."
  - II C He would say, "Anyone whose deeds are more than his wisdom— his wisdom will endure.
    - D "And anyone whose wisdom is more than his deeds—his wisdom will not endure."
- **3:10** III A He would say, "Anyone from whom people take pleasure—the Omnipresent takes pleasure.
  - B "And anyone from whom people do not take pleasure, the Omnipresent does not take pleasure."
  - C R. Dosa b. Harkinas says, "(1) Sleeping late in the morning, (2) drinking wine at noon, (3) chatting with children, and (4) attending the synagogues of the ignorant drive a man out of the world."
- **3:11** A R. Eleazar the Modite says, "(1) He who treats Holy Things as secular, and (2) he who defiles the appointed times, (3) he who humiliates his fellow in public, (4) he who removes the signs of the covenant of Abraham, our father, (may he rest in peace), and (5) he who exposes aspects of the Torah not in accord with the law,
  - B "even though he has in hand learning in Torah and good deeds, will have no share in the world to come."
- **3:12** A R. Ishmael says, "(1) Be quick [in service] to a superior, (2) efficient in service [to the state], and (3) receive everybody with joy."
- **3:13** A R. Aqiba says, "(1) Laughter and lightheartedness turn lewdness into a habit.
  - B "(2) Tradition is a fence for the Torah.
    - C "(3) Tithes are a fence for wealth.

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- D "(4) Vows are a fence for abstinence.
- E "(5) A fence for wisdom is silencers'
- **3:14** I A He would say, "Precious is the human being, who was created in the image [of God].
  - B he was created in the image [of God],
  - C "as it is said, *For in the image of God he made man* (Gen. 9:6).
  - D "Precious are Israelites, who are called children to the Omnipresent.
  - E "It was an act of still greater love that they were called children to the Omnipresent,
  - F "as it is said, You are the children of the Lord your God (Dt. 14:1).
  - III G "Precious are Israelites, to whom was given the precious thing.
    - H "It was an act of still greater love that it was made known to them that to them was given that precious thing with which the world was made,
      - I "as it is said, For I give you a good doctrine. Do not forsake my Torah (Prov. 4:2).

- **3:15** I A "Everything is foreseen, and free choice is given.
  - II B "In goodness the world is judged.
  - III C "And all is in accord with the abundance of deed[s]."
- **3:16** A He would say, "(1) All is handed over as a pledge,
  - B "(2) And a net is cast over all the living.
  - C "(3) The store is open, (4) the storekeeper gives credit, (5) the account book is open, and (6) the hand is writing.
  - D "(1) Whoever wants to borrow may come and borrow.
  - E "(2) The charity collectors go around every day and collect from man whether he knows it or not.
  - F "(3) And they have grounds for what they do.
  - G "(4) And the judgment is a true judgment.
  - H "(5) And everything is ready for the meal."
- **3:17** I A R. Eleazar b. Azariah says, "If there is no learning of Torah, there is no proper conduct.
  - B "If there is no proper conduct, there is no learning in Torah.
  - II C "If there is no wisdom, there is no reverence.
  - D "If there is no reverence, there is no wisdom.
  - III E "If there is no understanding, there is no knowledge.
  - F "If there is no knowledge, there is no understanding.
  - IV G "If there is no sustenance, there is no Torah learning.
  - H "If there is no Torah learning, there is no sustenance."
  - I I He would say, "Anyone whose wisdom is greater than his deeds— to what is he to be likened? To a tree with abundant foliage, but few roots.
    - J "When the winds come, they will uproot it and blow it down,
    - K "as it is said, *He shall be like a tamarisk in the desert and shall not see when good comes but shall inhabit the parched places in the wilderness* (Jer. 17:6).
  - II L "But anyone whose deeds are greater than his wisdom— to what is he to be likened? To a tree with little foliage but abundant roots.
    - M "For even if all the winds in the world were to come and blast at it, they will not move it from its place,
    - N "as it is said, He shall be as a tree planted by the waters, and that spreads out its roots by the river, and shall not fear when heat comes, and his leaf shall be green, and shall not be careful in the year of drought, neither shall cease from yielding fruit (Jer. 17:8)."
- **3:18** A R. Eleazar Hisma says, "The laws of bird offerings and the beginning of a woman's menstruation period—they are indeed the essentials of the Torah.
  - B "Calculations of the equinoxes and reckoning the numerical value of letters are the savories of wisdom."
- **4:1** I A Ben Zoma says, "Who is a sage? He who learns from everybody,
  - B "as it is said, *From all my teachers I have gotten understanding* (Ps. 119:99).
  - II C "Who is strong? He who overcomes his desire,
    - D "as it is said, *He who is slow to anger is better than the mighty, and he who rules his spirit than he who takes a city* (Prov. 16:32).

- III E "Who is rich? He who is happy in what he has,
  - F "as it is said, When you eat the labor of your hands, happy will you be, and it will go well with you (Ps. 128:2).
  - G ("*Happy will you be*—in this world, *and it will go well with you*—in the world to come.")
  - H "Who is honored? He who honors everybody,

IV

- I "as it is said, For those who honor me I shall honor and they who despise me will be treated as of no account (I Sam. 2:30)."
- **4:2** A Ben Azzai says, "Run after the most minor religious duty as after the most important, and flee from transgression.
  - B "For doing one religious duty draws in its wake doing yet another, and doing one transgression draws in its wake doing yet another.
  - C "For the reward of doing a religious duty is a religious duty, and the reward of doing a transgression is a transgression."
- 4:3 A He would say, "Do not despise anybody and do not treat anything as unlikely.B "For you have no one who does not have his time, and you have nothing which does not have its place."
- **4:4** A R. Levitas of Yabneh says, "Be exceedingly humble, for the hope of humanity is the worm."
  - B R. Yohanan b. Beroqah says, "Whoever secretly treats the Name of Heaven as profane publicly pays the price.
  - C "All the same are the one who does so inadvertently and the one who does so deliberately, when it comes to treating the name of Heaven as profane."
- **4:5** A R. Ishmael, his son, says, "He who learns so as to teach —they give him a chance to learn and to teach.
  - B "He who learns so as to carry out his teachings— they give him a chance to learn, to teach, to keep, and to do."
  - C R. Sadoq says, "Do not make [Torah teachings] a crown with which to glorify yourself or a spade with which to dig.
  - D (So did Hillel say [M. 1:13], "He who uses the crown perishes.")
  - E "Thus have you learned: Whoever derives worldly benefit from teachings of Torah takes his life out of this world."
- **4:6** A R. Yose says, "Whoever honors the Torah himself is honored by people.
  - B "And whoever disgraces the Torah himself is disgraced by people."
- **4:7** A R. Ishmael, his son, says, "He who avoids serving as a judge breaks off the power of enmity, robbery, and false swearing.
  - B "And he who is arrogant about making decisions is a fool, evil, and prideful."
- **4:8** A He would say, "Do not serve as a judge by yourself, for there is only One who serves as a judge all alone.
  - B "And do not say, 'Accept my opinion.'

	С	"For they have the choice in that matter, not you."
4:9	A B	R. Yonatan says, "Whoever keeps the Torah when poor will in the end keep it in wealth. "And whoever treats the Torah as nothing when he is wealthy in the end will treat it as nothing in poverty."
4:10	А	R. Meir says, "Keep your business to a minimum and make [your] business Torah.
	В	"And be humble before everybody.
	С	"And if you treat the Torah as nothing, you will have many treating you as nothing.
	D	"And if you have labored in Torah, [God] has a great reward to give you."
4:11	А	R. Eliezer b. Jacob says, "He who does even a single religious duty gets himself a good advocate.
	В	"He who does even a single transgression gets himself a prosecutor.
	С	"Penitence and good deeds are like a shield against punishment."
	D	R. Yohanan Hassandelar says, "Any gathering which is for the sake of Heaven is going to
		endure.
	Е	"And any which is not for the sake of Heaven is not going to endure."
4:12	А	R. Eleazar b. Shammua says, "The honor owing to your disciple should be as precious to you as yours.
	В	"And the honor owing to your fellow should be like the reverence owing to your master.
	C	"And the reverence owing to your master should be like the awe owing to Heaven."
4:13	А	R. Judah says, "Be meticulous about learning,
	В	"for error in learning leads to deliberate violation [of the Torah]."
	C	R. Simeon says, "There are three crowns: the crown of Torah, the crown of priesthood, and
	C	the crown of sovereignty.
	D	"But the crown of a good name is best of them all."
4:14	А	R. Nehorai says, "Go into exile to a place of Torah, and do not suppose that it will come to
		you.
	В	"For your fellow disciples will make it solid in your hand.
	C	"And on your own understanding do not rely."
4:15	А	R. Yannai says, "We do not have in hand [an explanation] either for the prosperity of the
		wicked or for the suffering of the righteous."
	В	R. Matya b. Harash says, "Greet everybody first,
	C	"and be a tail to lions.
	D	"But do not be a head of foxes."
	D	But do not de a nead of foxes.
4:16	А	R. Jacob says, "This world is like an antechamber before the world to come.
	В	"Get ready in the antechamber, so you can go into the great hall."
4:17	А	He would say, "Better is a single moment spent in penitence and good deeds in this world
		than the whole of the world to come.

- B "And better is a single moment of inner peace in the world to come than the whole of a lifetime spent in this world."
- **4:18** A R. Simeon b. Eleazar says, "(1) Do not try to make amends with your fellow when he is angry,
  - B "or (2) comfort him when the corpse of his beloved is lying before him,
  - C "or (3) seek to find absolution for him at the moment at which he takes vow,
  - D "or (4) attempt to see him when he is humiliated."
- **4:19** A Samuel the Small says, *"Rejoice not when your enemy falls, and let not your heart be glad when he is overthrown, lest the Lord see it and it displease him, and he turn away his wrath from him (Prov. 24:17)."*
- **4:20** A Elisha b. Abuyah says, "He who learns when a child—what is he like? Ink put down on a clean piece of paper.
  - B "And he who learns when an old man—what is he like? Ink put down on a paper full of erasures."
  - C R. Yose b. R. Judah of Kefar Habbabli says, "He who learns from children—what is he like? One who eats sour grapes and drinks fresh wine.
  - D "And he who learns from old men—what is he like? He who eats ripe grapes and drinks vintage wine."
  - E Rabbi says, "Do not took at the bottle but at what is in it.
  - F "You can have a new bottle full of old wine, and an old bottle which has not got even new wine."
- **4:21** A R. Eliezer Haqqappar says, "Jealousy, lust, and ambition drive a person out of this world."
- **4:22** A He would say, "Those who are born are [destined] to die, and those who die are [destined] for resurrection.
  - B "And the living are [destined] to be judged—
  - C "so as to know, to make known, and to confirm that (1) he is God,
  - D "(2) he is the one who forms,
  - E "(3) he is the one who creates,
  - F "(4) he is the one who understands,
  - G "(5) he is the one who judges,
  - H "(6) he is the one who gives evidence,
  - I "(7) he is the one who brings suit,
  - J "(8) and he is the one who is going to make the ultimate judgment.
  - K "Blessed be he, for before him are not (1) guile, (2) forgetfulness, (3) respect for persons, (4) bribe taking,
  - L "for everything is his.
  - M "And know that everything is subject to reckoning.
  - N "And do not let your evil impulse persuade you that Sheol is a place of refuge for you.
  - O "For (1) despite your wishes were you formed, (2) despite your wishes were you born, (3) despite your wishes do you live, (4) despite your wishes do you die, and (5) despite your wishes are you going to give a full accounting before the King of kings of kings, the Holy One, blessed be he."

5:1	Ι	A B	By ten acts of speech was the world made. And what does Scripture mean [by having God say <i>say</i> ten times]? And is it not so
		С	that with a single act of speech [the world] could have been brought into being? But it is to exact punishment from the wicked, who destroy a world which was
		C	created through ten acts of speech,
		D	and to secure a good reward for the righteous, who sustain a world which was created through ten acts of speech.
5:2	II	А	There are ten generations from Adam to Noah, to show you how long-suffering is [God].
		В	For all those generations went along spiting him until he brought the water of the flood upon them.
	III	С	There are ten generations from Noah to Abraham, to show you how long-suffering is [God].
		D	For all those generations went along spiting him, until Abraham came along and took the reward which had been meant for all of them.
5:3	IV	А	Ten trials were inflicted upon Abraham, our father, may he rest in peace, and he withstood all of them,
		В	to show you how great is His love for Abraham, our father, may he rest in peace.
5:4	V	А	Ten wonders were done for our fathers in Egypt, and ten at the Sea.
	VI	В	Ten blows did the Holy One, blessed be he, bring upon the Egyptians in Egypt, and ten at the Sea.
	VII	C	Ten trials did our fathers inflict upon the Omnipresent, blessed be he, in the Wilderness,
		D	as it is said, <i>Yet they have tempted me these ten times and have not listened to my voice</i> (Num. 14:22).
5:5	VIII	А	Ten wonders were done for our fathers in the Temple:
		В	(1) A woman never miscarried on account of the stench of the meat of Holy Things.
			(2) And the meat of the Holy Things never turned rotten.
			<ul><li>(3) A fly never made an appearance in the slaughterhouse.</li><li>(4) A high priest never suffered a nocturnal emission on the eve of the Day of Atonement.</li></ul>
			(5) The rain never quenched the fire on the altar.
			(6) No wind ever blew away the pillar of smoke.
			(7) An invalidating factor never affected the <i>omer</i> , the Two Loaves, or the Show Bread.
			(8) When the people are standing, they are jammed together. When they go down and prostrate themselves, they have plenty of room.
			(9) A snake and a scorpion never bit anybody in Jerusalem.
			<ul><li>(10) And no one ever said to his fellow, "The place is too crowded for me (Is. 49:20) to stay in Jerusalem."</li></ul>
5:6	IX	А	Ten things were created on the eve of the Sabbath [Friday] at twilight, and these are they:

- B (1) the mouth of the earth [Num. 16:32];
  - (2) the mouth of the well [Num. 21:16–18];
  - (3) the mouth of the ass [Num. 22:28];
  - (4) the rainbow [Gen. 9:13];
  - (5) the manna [Ex. 16:15];
  - (6) the rod [Ex. 4:17];
  - (7) the *Shamir;*
  - (8) letters,
  - (9) writing,
  - (10) and the tables of stone [of the ten commandments, Ex. 32:15f.].
- C And some say, "Also the destroyers, the grave of Moses, and the tamarisk of Abraham, our father."
- D And some say, "Also: the tongs made with tongs [with which the first tongs were made]."
- 5:7 A There are seven traits to an unformed clod, and seven to a sage.
  - B (1) A sage does not speak before someone greater than he in wisdom.
    - C (2) And he does not interrupt his fellow.
    - D (3) And he is not at a loss for an answer.
    - E (4) He asks a relevant question and answers properly.
    - F (5) And he addresses each matter in its proper sequence, first, then second.
    - G (6) And concerning something he has not heard, he says, "I have not heard the answer."
    - H (7) And he concedes the truth [when the other party demonstrates it].
    - I And the opposite of these traits apply to a clod.
- **5:8** A There are seven forms of punishment which come upon the world for seven kinds of transgression.
  - B (1) [If] some people give tithes and some people do not give tithes, there is a famine from drought.
  - C So some people are hungry and some have enough.
  - D (2) [If] everyone decided not to tithe, there is a famine of unrest and drought.
  - E (3) [If all decided] not to remove dough offering, there is a famine of totality.
  - F (4) Pestilence comes to the world on account of the death penalties which are listed in the Torah but which are not in the hands of the court [to inflict];
  - G and because of the produce of the Seventh Year [which people buy and sell].
  - H (5) A sword comes into the world because of the delaying of justice and perversion of justice, and because of those who teach the Torah not in accord with the law.
- **5:9** A (6) A plague of wild animals comes into the world because of vain oaths and desecration of the Divine Name.
  - B (7) Exile comes into the world because of those who worship idols, because of fornication, and because of bloodshed,
  - C and because of the neglect of the release of the Land [in the year of release].
  - D At four turnings in the years pestilence increases: in the Fourth Year, in the Seventh Year, in the year after the Seventh Year, and at the end of the Festival [of Tabernacles] every year:
  - E (1) in the Fourth Year, because of the poor man's tithe of the Third Year [which people have neglected to hand over to the poor];
  - F (2) in the Seventh Year, because of the poor man's tithe of the Sixth Year;

	G (3) in the year after the Seventh Year, I Year;		the year after the Seventh Year, because of the dealing in produce of the Seventh			
	Н	and (	(4) at the end of the Festival every year, because of the thievery of the dues [gleanings he like] owing to the poor [not left for them in the antecedent harvest].			
5:10	Ι	А	There are four sorts of people.			
		В	(1) He who says, "What's mine is mine and what's yours is yours" —this is the average sort.			
		С	(And some say, "This is the sort of Sodom.")			
		D	(2) "What's mine is yours and what's yours is mine"—this is a boor.			
		Е	(3) "What's mine is yours and what's yours is yours"—this is a truly pious man.			
		F	(4) "What's mine is mine and what's yours is mine"—this is a truly wicked man.			
5:11	II	А	There are four sorts of personality:			
		В	(1) easily angered, easily calmed—he loses what he gains;			
		С	(2) hard to anger, hard to calm—what he loses he gains;			
		D	(3) hard to anger and easy to calm—a truly pious man;			
		Ε	(4) easy to anger and hard to calm—a truly wicked man.			
5:12	III	А	There are four types of disciples:			
		В	(1) quick to grasp, quick to forget—he loses what he gains;			
		С	(2) slow to grasp, slow to forget—what he loses he gains;			
		D	(3) quick to grasp, slow to forget—a sage;			
		Е	(4) slow to grasp, quick to forget—a bad lot indeed.			
5:13	IV	А	There are four traits among people who give charity:			
		В	(1) he who wants to give but does not want others to give—he begrudges what belongs to others;			
		С	(2) he wants others to give, but he does not want to give—he begrudges what belongs to himself;			
		D	(3) he will give and he wants others to give—he is truly pious;			
		Е	(4) he will not give and does not want others to give—he is truly wicked.			
5:14	V	А	There are four sorts among those who go to the study house:			
		В	he who goes but does not carry out [what he learns]— he has at least the reward for the going.			
		С	He who practices but does not go [to study]—he has at least the reward for the			
		-	doing.			
		D	He who both goes and practices—he is truly pious.			
		Е	He who neither goes nor practices—he is truly wicked.			
5:15	А	Ther	e are four traits among those who sit before the sages:			
	В	a sponge, a funnel, a strainer, and a sifter.				
	С		onge—because he sponges everything up;			
	D		nel—because he takes in on one side and lets out on the other;			
	E		ainer—for he lets out the wine and keeps in the lees;			
	F	and a	a sifter—for he lets out the flour and keeps in the finest flour.			

5:16	Ι	А	[In] any loving relationship which depends upon something, [when] that thing is gone, the love is gone.
		B C	But any which does not depend upon something will never come to an end. What is a loving relationship which depends upon something? That is the love of
		D	Amnon and Tamar [II Sam. 13:15]. And one which does not depend upon something? That is the love of David and Jonathan.
5:17	II	А	Any dispute which is for the sake of Heaven will in the end yield results, and any which is not for the sake of Heaven will in the end not yield results.
		В	What is a dispute for the sake of Heaven? This is the sort of dispute between Hillel and Shammai.
		C	And what is one which is not for the sake of Heaven? It is the dispute of Korach and all his party.
5:18	III	А	He who brings merit to the community never causes sin.
		В	And he who causes the community to sin— they never give him a sufficient chance to attain penitence.
		С	Moses attained merit and bestowed merit on the community.
		D E	So the merit of the community is assigned to his [credit], as it is said, <i>He executed the justice of the Lord and his judgments with Israel</i> (Dt.
			33:21).
		F G	Jeroboam sinned and caused the community to sin. So the sin of the community is assigned to his [debit],
		H	as it is said, For the sins of Jeroboam which he committed and wherewith he made Israel to sin (I Kings 15:30).
5:19	А	Anyon	e in whom are these three traits is one of the disciples of Abraham, our father;
	B	_	he bears] three other traits, he is one of the disciples of Balaam, the wicked:
	С		enerous spirit, (2) a modest mien, and (3) a humble soul—he is one of the disciples aham, our father.
	D	(1) a g	rudging spirit, (2) an arrogant mien, and (3) a proud soul—he is one of the disciples aam, the wicked.
	Е	What i	s the difference between the disciples of Abraham our father and the disciples of
	F		n the wicked? sciples of Abraham our father enjoy the benefit [of their learning] in this world and
	1	yet inh	herit the world to come, as it is said, <i>That I may cause those who love me to inherit nce, and so that I may fill their treasures</i> (Prov. 8:21).
	G	as it is	sciples of Balaam the wicked inherit Gehenna and go down to the Pit of Destruction, said, <i>But you, O God, shall bring them down into the pit of destruction; bloodthirsty ceitful men shall not live out half their days</i> (Ps. 55:24).
5:20	А		b. Tema says, "Be strong as a leopard, fast as an eagle, fleet as a gazelle, and brave on, to carry out the will of your Father who is in heaven."
	В	He wo	uld say, "The shameless go to Gehenna, and the diffident to the garden of Eden.
	C		it be found pleasing before you, O Lord our God, that you rebuild your city quickly day and set our portion in your Torah."

- **5:21** A He would say, "(1) At five to Scripture, (2) ten to Mishnah, (3) thirteen to religious duties, (4) fifteen to Talmud, (5) eighteen to the wedding canopy, (6) twenty to responsibility for providing for a family, (7) thirty to fullness of strength, (8) forty to understanding, (9) fifty to counsel, (10) sixty to old age, (11) seventy to ripe old age, (12) eighty to remarkable strength, (13) ninety to a bowed back, and (14) at a hundred— he is like a corpse who has already passed and gone from this world."
- **5:22** A Ben Bag Bag says [in Aramaic], "Turn it over and over because everything is in it.
  - B "And reflect upon it and grow old and worn in it and do not leave it,"
    - C [in Hebrew], "for you have no better lot than that."
- **5:23** A Ben He He says, "In accord with the effort is the reward."

## HORAYOT

- **1:1** A [if] the court gave a decision to transgress any or all of the commandments which are stated in the Torah,
  - B and an individual went and acted in accord with their instructions, [so transgressing] inadvertently,
  - C (1) whether they carried out what they said and he carried out what they said right along with them,
  - D (2) or whether they carried out what they said and he carried out what they said after they did,
  - E (3) whether they did not carry out what they said, but he carried out what they said—
  - F he is exempt,
  - G since he relied on the court.
  - H [If] the court gave a decision, and one of them knew that they had erred,
  - I or a disciple who is worthy to give instruction,
  - J and he [who knew of the error] went and carried out what they said,
  - K (1) whether they carried out what they said and he carried out what they said right along with them,
  - L (2) whether they carried out what they said and he carried out what they said after they did,
  - M (3) whether they did not carry out what they said, but he carried out what they said—
  - N lo, this one is liable,
  - O since he [who knew the law] did not in point of fact rely upon the court.
  - P This is the governing principle:
  - Q He who relies on himself is liable, and he who relies on the court is exempt.
- **1:2** A [If] the court gave a decision and realized that it had erred and retracted it,
  - B whether they brought their atonement offering or did not bring their atonement offering,
  - C and an individual did in accord with their instruction—
  - D R. Simeon declares him exempt.
  - E And R. Eliezer says, "It is subject to doubt."
  - F What is the doubt?
  - G [If] the person had stayed home, he is liable.
  - H [If] he had gone overseas, he is exempt.

- I Said R. Aqiba, "I concede in this case that he is nigh unto being exempt from liability."
- J Said to him Ben Azzai, "What is the difference between this one and one who stays home?"
- K "For the one who stays home had the possibility of hearing [that the court had erred and retracted], but this one did not have the possibility of hearing [what had happened]."
- **1:3** A [If] a court gave a decision to uproot the whole principle [of the Torah]—
  - B (1) [if] they said, "[The prohibition against having intercourse with] a menstruating woman is not in the Torah [Lev. 15:19]."
  - C (2) "[The prohibition of labor on] the Sabbath is not in the Torah."
  - D (3) "[The prohibition against] idolatry is not in the Torah."
  - E Lo, these are exempt [from the requirement of Lev. 4:14].
  - F [If] they gave instruction to nullify part and to carry out part [of a rule of the Torah], lo, they are liable.
  - G How so?

1:4

- H (1) [If] they said, 'The principle of prohibition of sexual relationships with menstruating woman indeed is in the Torah, but he who has sexual relations with woman awaiting day against day is exempt."
- I (2) "The principle of not working on the Sabbath is in the Torah, but he who takes out something from private domain to public domain is exempt."
- J (3) "The principle of not worshipping idols is in the Torah but he who bows down [to an idol] is exempt."—
- K lo, these are liable,
- L since it is said, *If something be hidden* (Lev. 4:13)—
- M something and not everything.
  - A (1) [If] the court gave a decision, and one of the members of the court realized that they had erred and said to them, "You are in error,"
  - B or (2) if the head of the court was not there,
  - C or (3) if one of them was a proselyte, a *mamzer*, a *Netin*, or an elder who did not have children—
  - D lo, these are exempt [from a public offering under the provisions of Lev. 4:14],
  - E since *Congregation* is said here [Lev. 4:13], and *Congregation* is said later on [Num. 15:24].
  - F Just as *congregation* later on applies only in the case in which all of them are suitable for making a decision,
  - G so *congregation* stated here refers to a case in which all of them are suitable for making a decision.
- I H [If] the court gave an incorrect decision inadvertently, and the entire community followed their instruction [and did the thing in error] inadvertently,
  - I they bring a bullock.
- II J [If the court gave an incorrect decision] deliberately, but the community, following their instruction, did the thing in error] inadvertently,
  - K they bring a lamb or a goat (Lev. 4:32, (27).
- III L [If the court gave incorrect instruction] inadvertently, and [the community followed their instruction and did the thing in error] deliberately, lo, these are exempt [under the provisions of Lev. 4:4].

1:5	Ι	А	"[If] the court made an [erroneous] decision, and the entire community, or the greater part of the community, carried out their decision, they bring a bullock.
		В	"In the case of idolatry, they bring a bullock and a goat," the words of R. Meir.
	II	Ċ	R. Judah says, "Twelve tribes bring twelve bullocks.
		D	"And in the case of idolatry, they bring twelve bullocks and twelve goats."
	III	Ē	R. Simeon says, "Thirteen bullocks, and in the case of idolatry, thirteen bullocks
		2	and thirteen goats:
		F	"a bullock and a goat for each and every tribe, and [in addition] a bullock and a
		-	goat for the court."
	Ι	G	"[If] the court gave an [erroneous] decision, and seven tribes, or the greater part of
	1	U	seven tribes, carried out their decision,
		Н	"they bring a bullock.
		I	"In the case of idolatry, they bring a bullock and a goat," the words of R. Meir.
	II	J	R. Judah says, "Seven tribes which committed a sin bring seven bullocks.
		ĸ	"And the other tribes, who committed no sin, bring a bullock in their behalf,
		L	"for even those who did not sin bring an offering on account of the sinners."
	III	M	R. Simeon says, "Eight bullocks, and in the case of idolatry, eight bullocks and
			eight goats:
		Ν	"a bullock and a goat for each and every tribe, and a bullock and a goat for the
			court."
		Ο	"[If] the court of one of the tribes gave an [erroneous] decision, and that tribe [only]
			carried out their decision,
		Р	"that tribe is liable, and all the other tribes are exempt," the words of R. Judah.
		Q	And sages say, "They are liable only by reason of an [erroneous] decision made by
			the high court alone,
		R	"as it is said, And if the whole congregation of Israel shall err (Lev. 4:13)—and not
			the congregation of that tribe [alone]."
2:1	Ι	А	[If] an anointed [high] priest made a decision for himself [in violation of any of the
			commandments of the Torah], doing so inadvertently, and carrying out [his
			decision] inadvertently,
		В	he brings a bullock (Lev. 4:3).
	II	С	[If] he [made an erroneous decision] inadvertently, and deliberately carried it out,
	III	D	deliberately [made an erroneous decision] and inadvertently carried it out,
		Е	he is exempt.
		F	For an [erroneous] decision of an anointed [high] priest for himself is tantamount to
			an [erroneous] decision of a court for the entire community.
2:2		А	[If] he made an [erroneous] decision by himself and carried it out by himself,
		В	he effects atonement for himself by himself.
		С	[If] he made [an erroneous] decision with the community and carried it out with the
			community,
		D	he effects atonement for himself with the community.
	Ι	E	For a court is not liable until it will give an erroneous decision to nullify part and to
			carry out part [of the teachings of the Torah], and so is the rule for an anointed
		_	[high priest] [M. 1:3].
		F	And [they] are not [liable] in the case of idolatry [subject to an erroneous decision]
			unless they give a decision to nullify in part and to sustain in part [the requirements
			of the Torah] [M. 1:3].

- **2:3** II A They are liable only on account of *something's being hidden* (Lev. 4:13) along with an act [of transgression] which is performed inadvertently,
  - B and so in the case of the anointed [high priest].
  - C And [they are] not [liable] in the case of idolatry except in the case of *something's being hidden* along with an act [of transgression] which is performed inadvertently.
  - III D The court is liable only if they will give an erroneous decision in a matter, the deliberate commission of which is punishable by extirpation, and the inadvertent commission of which is punishable by a sin offering,
    - E and so in the case of the anointed [high priest],
    - F and [they are] not [liable] in the case of idolatry, except in the case in which they gave instruction in a matter the deliberate commission of which is punishable by extirpation, and the inadvertent commission of which is punishable by a sin offering.
- **2:4** I A They are not liable on account of [a decision inadvertently violating] a positive commandment or a negative commandment concerning the sanctuary.

B And they do not bring a suspensive guilt offering on account of [violation of] a positive commandment or a negative commandment concerning the sanctuary.

- II C But they are liable for [violating] a positive commandment or a negative commandment involving a menstruating woman.
  - D And they do bring a suspensive guilt offering on account of [violation of] a positive commandment or a negative commandment concerning a menstruating woman.
  - E What is a positive commandment concerning a menstruating woman? To keep separate from a menstruating woman.
  - F And what is a negative commandment? Not to have sexual relations with a menstruating woman.
- **2:5** A They are not liable [because of inadvertent violation of the law] (1) concerning hearing *the voice of adjuration* [Lev. 5:1], (2) a rash oath [Lev. 5:4], (3) or imparting uncleanness to the sanctuary and to its holy things [Lev. 5:3]—
  - B "and the ruler follows suit," the words of R. Yose the Galilean.
  - C R. Aqiba says, "The ruler is liable in the case of all of them,
  - D "except in the case of *hearing the voice of adjuration*.
  - E "For the king does not judge and others do not judge him,
  - F "does not give testimony, and others do not give testimony concerning him" [= M. San. 2:2].
- **2:6** A In the case of all the commandments in the Torah, on account of which they are liable for deliberate violation to extirpation, and on account of inadvertent violation to a sin offering,
  - B an individual brings a female lamb or a female goat [Lev. 4:28, 32]
  - C a ruler brings a male goat [Lev. 4:23],
  - D and an anointed [high priest] and a court bring a bullock [M. 1:5, 2:1].
  - E But in the case of idolatry, the individual, ruler, and anointed [high priest] bring a female goat [Num. 15:27].
  - F And the court brings a bullock and a goat [M. 1:5],
  - G a bullock for a whole offering and a goat for a sin offering.
- **2:7** I A As to a suspensive guilt offering, an individual and a ruler may become liable,

		В	but the anointed [high priest] and court do not become liable.
	Π	С	As to an unconditional guilt offering, an individual, a ruler, and an anointed [high
			priest] may become liable, but a court is exempt.
	III	D	On account of <i>hearing the voice of adjuration</i> , a rash oath, and imparting
			uncleanness to the sanctuary and its Holy Things, a court is exempt, but an
			individual, a ruler, and an anointed [high priest] are liable.
		Е	"But a high priest is not liable for imparting uncleanness to the sanctuary and its
		Ľ	Holy Things," the words of R. Simeon.
		F	And what do they bring? An offering of variable value.
		G	R. Eliezer says, "The ruler brings a goat offering."
		U	K. Lhezer says, The fuller offigs a goat offering.
3:1	Ι	А	An anointed [high] priest who sinned and afterward passed from his office as
			anointed high priest,
		В	and so a ruler who sinned and afterward passed from his position of greatness—
		С	the anointed [high] priest brings a bullock,
		D	and the patriarch brings a goat [M. 2:6].
3:2	II	А	An anointed [high] priest who passed from his office as anointed high priest and
		P	then sinned,
		В	and so a ruler who passed from his position of greatness and then sinned—
		С	a high priest brings a bullock.
		D	But a ruler is like any ordinary person.
3:3	III	А	[If] they sinned before they were appointed, and then they were appointed,
		В	lo, they are in the status of any ordinary person.
		С	R. Simeon says, "If [their sin] became known to them before they were appointed,
			they are liable.
		D	"But if it was after they were appointed, they are exempt."
		Е	(1) And who is a ruler? This is the king, as it is said, And does any one of all the
			things which the Lord his God has commanded not to be done (Lev. 4:22)—
		F	a ruler who has none above him except the Lord his God.
3:4	•	(2) <b>U</b>	The is the anciented [high privat]? It is the one who is enciented with the encienting oil
5:4	А		The is the anointed [high priest]? It is the one who is anointed with the anointing oil, ne one who is dedicated by many garments.
	В		e is no difference between the high priest who is anointed with anointing oil, and the
	D		who is dedicated with many garments, except for [the latter's obligation to bring] the
			ck which is brought because of the [violation] of any of the commandments.
	С		e is no difference between a [high] priest presently in service and a priest [who
	C		d] in the past except for the [bringing of] the bullock of the Day of Atonement and the
	р		of an <i>ephah</i> .
	D		his one and that one are equivalent in regard to the service on the Day of Atonement.
	Е		nd they are commanded concerning [marrying] a virgin. And they are forbidden to y] a widow.
	F	-	• -
	Ľ	(5) A relati	nd they are not to contract corpse uncleanness on account of the death of their close ves.
	G		or do they mess up their hair.
	H		or do they tear their clothes [on the occasion of a death in the family].
	I		nd [on account of their death] they bring back a manslayer.
	I	(0) A	na ton account of then death i they offing back a mansiayer.

- **3:5** A A high priest [on the death of a close relative] tears his garment below, and an ordinary one, above.
  - B A high priest makes an offering while he is in the status of one who has yet to bury his dead, but he may not eat [the priestly portion].
  - C And an ordinary priest neither makes the offering nor eats [the priestly portion].
- **3:6** A Whatever is offered more regularly than its fellow takes precedence over its fellow, and whatever is more holy than its fellow takes precedence over its fellow.
  - B [If] a bullock of an anointed priest and a bullock of the congregation [M. 1:5] are standing [awaiting sacrifice]—
  - C the bullock of the anointed [high priest] takes precedence over the bullock of the congregation in all rites pertaining to it.
- **3:7** A The man takes precedence over the woman in the matter of the saving of life and in the matter of returning lost property [M. B.M. 2:11].
  - B But a woman takes precedence over a man in the matter of [providing] clothing and redemption from captivity.
  - C When both of them are standing in danger of defilement, the man takes precedence over the woman.
- **3:8** A A priest takes precedence over a Levite, a Levite over an Israelite, an Israelite over a *mamzer*, a *mamzer* over a *Netin*, a *Netin* over a proselyte, a proselyte over a freed slave.
  - B Under what circumstances?
  - C When all of them are equivalent.
  - D But if the *mamzer* was a disciple of a sage and a high priest was an *Am haares*, the *mamzer* who is a disciple of a sage takes precedence over a high priest who is an *Am haares*.

## The Fifth Division Holy Things

## ZEBAHIM

- **1:1** A All animal offerings which were slaughtered not for their own name are valid [so that the blood is tossed, the entrails burned, etc.],
  - B but they do not go to the owner's credit in fulfillment of an obligation,
  - C except for the Passover and the sin offering—
  - D the Passover at its appointed time [the afternoon of the fourteenth of Nisan],
  - E and the sin offering of any time.
  - F R. Eliezer says, "Also: the guilt offering.
  - G "The Passover at its appointed time,

- H "and the sin offering and the guilt offering at any time."
- I Said R. Eliezer, "The sin offering comes on account of sin, and the guilt offering comes on account of sin.
- J "Just as the sin offering is unfit [if it is offered] not for its own name ["under some other name"], so the guilt offering is unfit [if offered] not for its own name."
- **1:2** A Yose b. Honi says, "Those [other offerings] which are slaughtered for the sake of the Passover and for the sake of the sin offering are invalid."
  - B Simeon, brother of Azariah, says, "[If] one slaughtered them for the sake of that which is higher than they, they are valid.

"[If one slaughtered them] for the sake of that which is lower than they ["But if under the name of a lower grade"], they are invalid.

- C "How so?
- D "Most Holy Things which one slaughtered for the sake of Lesser Holy Things are invalid. Lesser Holy Things which one slaughtered for the sake of Most Holy Things are valid.
- E "The firstling and tithe which one slaughtered for the sake of peace offerings are valid, and peace offerings which one slaughtered for the sake of a firstling, [or] for the sake of tithe, are invalid."
- **1:3** A The Passover which one slaughtered on the morning of the fourteenth [of Nisan] not for its own name ["under some other name"]—
  - B R. Joshua declares valid,
  - C as if it were slaughtered on the thirteenth [of Nisan].
  - D Ben Beterah declares invalid,
  - E as if it were slaughtered at twilight [of the fourteenth].
  - F Said Simeon ben Azzai, "I have received a tradition from the seventy-two elder[s],
  - G "on the day on which they seated R. Eleazar b. Azariah in session,
  - H "that:
    - "all animal offerings which are eaten,
  - I "which were slaughtered not for their own name,
  - J "are fit,
  - K "but they do not go to the owner's credit in fulfillment of an obligation,
  - L "except for the Passover and the sin offering."
  - M And Ben Azzai [thereby] added [to L] only the burnt offering.
  - N But sages did not agree with him.
- 1:4 A The Passover and the sin offering which one slaughtered not for their own name—
  - B the blood [of which] one received, conveyed, or tossed not for their own name—
  - C or for their own name and not for their own name,
  - D or not for their own name and for their own name—
  - E are unfit.
  - F How [does one do it (C)] for their own name and not for their own name?
  - G For the sake of the Passover [at its time] and for the sake of peace offerings.
  - H Not for their own name and for their own name [D]?
  - I For the sake of peace offerings and for the sake of the Passover.
  - J For an animal offering is made unfit [by improper intention or deed] in four respects:
  - K (1) in slaughtering, and (2) in receiving [the blood], and (3) in conveying [the blood], and (4) in tossing [the blood].
  - L R. Simeon declares fit in the case of [improperly] conveying [the blood].

- M For R. Simeon did say, "It is not possible [to make an animal offering] without slaughtering, and without receiving [the blood] and without tossing [the blood]. But it is possible [to make an animal offering] without conveying [the blood].
- N "One slaughters [the animal] at the side of the altar and [forthwith, without conveying the blood at all] tosses [the blood onto the altar]."
- O R. Eleazar says, "He who conveys [the blood]—
- P "[if he does so] in a situation in which he has to convey [the blood], [the wrong] intention renders invalid [the act of sacrifice]. [If he does so] in a situation in which he does not have to convey [the blood], the [wrong] intention does not render [the act of sacrifice] invalid."
- **2:1** A All animal offerings, the blood of which—
  - (1) a non-priest, (2) [a priest] mourning his next of kin, (3) a [priest who was] *tebul yom*,
    (4) [a priest] lacking proper garments, (5) a [priest] whose atonement is not yet complete,
    (6) a [priest] whose hands and feet are not washed, (7) [an] uncircumcised [priest], (9) [a priest] who was sitting down, (10) [a priest] standing on utensils, on a beast, on the feet of his fellow, received, has he rendered invalid.
  - B [If] he received it in his left hand, he has rendered [the sacrifice] invalid.
  - C R. Simeon declares valid.
  - D [If] it [the blood] was poured onto the floor and one [then] collected it, it is invalid.
  - E [If] one [who was fit, by contrast to M. 3:1E] sprinkled it on the ramp, not by the [altar] base—
  - F [If] one sprinkled those [drops of blood] which are to be sprinkled below, above,
  - G and those which are to be sprinkled above, below,
  - H those which are to be sprinkled inside, outside,
  - I and those which are to be sprinkled outside, inside—
  - J it is invalid.
  - K And punishment by extirpation does not apply to it [for him who eats thereof, because of M: 2:3J]
- **2:2** A He who slaughters the animal offering [intending]
  - B to toss its blood outside [of the Temple court],
    - (1) or part of its blood outside,
  - C to burn its sacrificial portions outside,
    - (1) or part of its sacrificial portions outside,
  - D to eat its flesh outside
    - (1) or an olive's bulk of its flesh outside
  - E or to eat an olive's bulk of the skin of the fat tail outside—
  - F it is invalid.
  - G And punishment by extirpation does not apply to it [e. g., in the case of the priest who eats thereof].
  - H [Supply: He who slaughters the animal offering intending]
  - I to toss its blood on the next day,
    - (1) or part of its blood on the next day,
  - J to burn its sacrificial portions on the next day, (1) or part of its sacrificial portions on the next day,
  - K to eat its flesh on the next day,
    - (1) or part of its flesh on the next day,
  - L or an olive's bulk of the skin of the fat tail on the next day—

- M it is refuse.
- N And they [who eat it, even at the proper time] are liable on its account to punishment by extirpation.
- **2:3** A This is the general rule:
  - B Whoever slaughters, or receives [the blood], or conveys [the blood], or sprinkles [the blood] [intending]
  - C to eat something which is usually eaten [flesh], to burn something which is usually burned [entrails],
  - D outside of its proper place [the court for Most Holy Things, Jerusalem for Lesser Holy Things]—
  - E it is invalid [and the flesh may not be eaten]. And extirpation does not apply to it.
  - F [Supply: Whoever slaughters, or receives the blood, or conveys the blood, or sprinkles (the blood), intending to eat something which is usually eaten, to burn something which is usually burned]
  - G outside of its proper time—
  - H it is refuse.
  - I And they are liable on its account to extirpation [even if they eat the flesh within the time limit].
  - J And [the foregoing rule applies] on condition that what renders the offering permissible [the blood, which permits the sacrificial portions to be burned on the altar and the flesh to be eaten by the priest or owner, that is, the proper sprinkling or tossing of the blood] is offered in accord with its requirement.
- **2:4** A How is 'what renders the offering permissible offered in accord with its requirement'?
  - B [If] one slaughtered in silence [lacking improper intent],
  - C [but] received [the blood] and conveyed [the blood] and sprinkled [the blood] [intending to eat or burn the flesh] outside of its proper time,
  - D or [if one] slaughtered [intending to eat or burn the flesh] outside of the proper time, received [the blood] and conveyed [the blood] and sprinkled [the blood] in silence [lacking improper intent],
  - E or [if he] slaughtered, received [the blood], and conveyed [the blood] and sprinkled [the blood] [intending to eat or burn the flesh] outside of its proper time—
  - F this is a case in which what renders the offering permissible is offered in accord with its requirement.
  - G How is 'what renders the offering permissible not offered in accord with its requirement'?
  - H [If] one slaughtered [intending to eat or burn the flesh] outside of its place, received [the blood] and conveyed [the blood] and tossed [the blood] [intending to eat or burn the flesh] outside of its time,
  - I or [if] one slaughtered [intending to eat or burn the flesh] outside its proper time, received [the blood] and conveyed [the blood] and tossed [the blood] [in tending to eat or burn the flesh] outside of its place,
  - J or [if one] slaughtered, received [the blood] and conveyed [the blood] and tossed [the blood] [intending to eat or burn the flesh] outside of its place—
  - K the Passover and the sin offering which one slaughtered not for their own name—
  - L [the blood of which] one [also] received and conveyed and tossed [intending to eat or burn the flesh] outside of their proper time,
  - M or which one slaughtered [intending to eat or burn the flesh] outside of their proper time, [and the blood of which] one received and conveyed and tossed not for their own name—

- N or which one slaughtered, received, and conveyed and tossed not for their own name-
- O this is a case in which what renders the offering permissible is not offered in accord with its requirement.
- **2:5** A [Supply: If a man slaughtered an animal offering and received, conveyed, and tossed the blood intending]—
  - B to eat an olive's bulk outside [the proper place] and an olive's bulk on the next day [at an improper time],
  - C an olive's bulk on the next day and an olive's bulk outside,
  - D half an olive's bulk outside and half an olive's bulk on the next day,
  - E half an olive's bulk on the next day and half an olive's bulk outside—
  - F it is unfit. But extirpation does not apply to it.
  - G Said R. Judah, "This is the general rule: "If the [improper] intention concerning time came before the [improper] intention concerning the place, it is refuse, and they are liable on its account for extirpation.
  - H "And if the [improper] intention concerning the place came before the [improper] intention concerning the time, it is invalid. And extirpation does not apply to him."
  - I And sages say, "This and that are invalid. And extirpation does not apply to him."
  - J [If one intends] to eat half an olive's bulk and to burn half an olive's bulk, it is valid.
  - K For eating and burning are not joined together.
- **3:1** A All unfit people [e. g., the ten listed at M. 2:1A] who slaughtered —their act of slaughter is valid.
  - B For an act of slaughter is valid [when done] by non-priests, women, slaves, and unclean men,
  - C even in the case of [their slaughtering] Most Holy Things.
  - D And [this is so] on condition that the unclean people do not touch the flesh.
  - E Therefore they [also] invalidate by improper intention [in the act of slaughtering].
  - F But all of them [who are unfit] who received the blood [intending to eat the flesh] outside its proper time or outside its proper place,
  - G if the lifeblood [suitable for tossing] still remained [in the beast, that is, the blood which issues at the moment of death]—
  - H a fit person should go and [with proper intention] receive [it] [since the improper intention of unfit people is null in respect to receiving, conveying, and tossing the blood. The offering remains valid in the case of F-G, by contrast to A + E].
- **3:2** I A [If] a fit person received [the blood] and handed it over to an unfit person, [without conveying it] he [the unfit one] should return it to the fit person.
  - II B [If] he received the blood in his right hand and put it into his left, he should return it to his right hand.
     III C [If] he received it in a sacred utensil and put it into an unconsecrated utensil, he
    - C [If] he received it in a sacred utensil and put it into an unconsecrated utensil, he should put it back into a sacred utensil.
      - D [If after the blood was received in a utensil], it poured from the utensil onto the pavement and one gathered it up, it is valid.
      - E [If] he [who was unfit] tossed it on the ramp, not against the foundation [of the altar],
      - F [if] he tossed those which are to be tossed below, above,
      - G or those which are to be tossed above, below,
      - H those which are to be tossed inside, outside,

- I or those which are to be tossed outside, inside,
- J if the lifeblood still remained in the beast,
- K a suitable person should go and receive it [and repeat the sprinklings] [= M. 3:1G-H].
- **3:3** A He who slaughters the animal sacrifice [intending] to eat something which is not usually eaten,
  - B to burn something which is not usually burned—
  - C it is valid.
  - D R. Eliezer declares invalid.
  - E [If he does so intending] to eat something which is usually eaten,
  - F or to burn something which is usually burned,
  - G [in volume] less than an olive's bulk,
  - H it is valid.
  - I [If he does so] intending to eat a half-olive's bulk,
  - J and to burn a half-olive's bulk [in an improper manner],
  - K it is valid.
  - L For eating and burning do not join together.
- **3:4** A He who slaughters the animal offering [intending] to eat an olive's bulk of (1) the hide, (2) the grease, (3) the sediment [jelly], (4) the flayed-off flesh [offal], (5) the bones, (6) the tendons, (7) the hooves, (8) the horns,
  - B outside of the proper time or outside of the proper place—
  - C it is valid.
  - D And they are not liable on their account for violation of the laws of refuse, remnant, or uncleanness.
- **3:5** A He who slaughters [female] consecrated animals [intending] to eat the foetus or the afterbirth
  - B outside [the proper place or time]
  - C has not rendered the sacrifice refuse [for these are not usually eaten].
  - D He who wrings the necks of turtledoves inside [intending] to eat their eggs outside [the proper place or time]
  - E has not rendered the sacrifice refuse.
  - F [As to] the milk of [female] consecrated beasts and the eggs of turtledoves [which are not integral to the body of the sacrifice]—they are not liable on their account in respect to the laws of refuse, remnant, and uncleanness.
- **3:6** A [If] one slaughtered it [an animal sacrifice] on condition to leave over its blood [and not to toss it] or its sacrificial parts [and not to offer them up] for the next day,
  - B or to take them outside—
  - C R. Judah declares invalid [as would be the case if the officiant actually did so].
  - D And sages declare valid.
  - E [If] he slaughtered it on condition
  - F (1) to sprinkle it on the ramp,
    - not at the foundation [of the altar] [M. 2:1],
  - G (2) to sprinkle those which are to be sprinkled below, above,
  - H (3) or those which are to be sprinkled above, below,

- I (4) those which are to be sprinkled inside, outside
- J (5) or those which are to be sprinkled outside, inside—
- K (1) that unclean people eat it,
- L (2) that unclean people offer it up,
- M (3) that uncircumcised priests eat it,
- N (4) that uncircumcised priests offer it up,
- O (1) to break the bones of the Passover [Ex. 12:9],
- P (2) or to eat of it while it is raw [Ex. 12:46],
- Q (3) to mix its blood with the blood of unfit beasts—
- R it is valid.
- S For improper intention invalidates only in respect to [eating the flesh or burning the sacrificial parts] outside its proper place or outside its proper time [= A-B + D],
- T and, in respect to the Passover and the sin offering, [improper intention invalidates when this involves slaughtering them] not for their own name.
- **4:1** A The House of Shammai say, "Any [offering, the tossings of the blood of which] are to be placed on the outer altar, if one [properly] tossed one tossing [of blood], has effected atonement [= M. 5:3–8].
  - B "But in the case of the sin offering, two tossings [properly tossed on the outer altar are required to effect atonement].
  - C And the House of Hillel say, "Even a sin offering, the tossing [of the blood of which] was properly placed [in the case of] one placing, has effected atonement."
  - D Therefore: if one placed the first in the proper manner [in silence] but the second [intending to eat the flesh or burn the sacrificial portion] outside of its proper time, [the offering is valid and] it has effected atonement.
  - E [If] one placed the first [intending to eat the flesh or burn the sacrificial portion] outside its proper time, and the second outside its proper place [= M. 2:4], it is refuse [that which permits the offering to be eaten having been offered in accord with its requirement], and they are liable on its account for extirpation.
- **4:2** A Any [animal offering, the tossings of the blood of which] are to be placed on the inner altar, if one omitted one of the acts of tossing of blood, has not effected atonement [= M. 5:1–2].
  - B Therefore, if one tossed all of them in the proper manner, but one of them not in its proper manner, it is invalid. And extirpation does not apply to it.
- **4:3** A These are things on account of which they are not liable because of [transgression of the law of] refuse:
  - (1) the handful [Lev. 2:1-2],
  - (2) and the frankincense [Lev. 2:1-2],
  - (3) and the incense offering [Ex. 30:7-8],
  - (4) and the meal offering of the priests [Lev. 6:16],
  - (5) and the meal offering of the anointed priest [Lev. 6:15],
  - (6) and the meal offering [which accompanies] the drink offerings [Num. 15:2ff.],
  - (7) and the blood.
  - B (8) "And drink offerings which come by themselves [but not those which come with a sacrifice, vs. No. 6]," the words of R. Meir.
  - C (9) And sages say, "Also: those which come along with a beast."

[= No. 6. Meir's view is that the blood of the sacrifices permits the drink offering to the altar. Sages point out that the drink offering may come later Meir, G.)].

- D (10) the log of oil of the mesora [Lev. 14:10]—
- E R. Simeon says, "They are not liable on its account because of [transgression of the law of] refuse [if the guilt offering is made refuse]."
- F And R. Meir says, "They are liable on its account because of [violation of the laws of] refuse [if the guilt offering is made refuse].
- G "For the blood of the guilt offering renders it permitted [for offering or eating],
- H "and whatever has that which renders the offering permissible [for offering or eating], whether for man or for the altar—they are liable on its account because of [transgression of the law of] refuse."
- **4:4** A (1) The whole offering— its blood renders permissible its flesh for the altar, and its hide for the priests.
  - B (2) The whole offering of fowl—its blood renders permissible its flesh for the altar.
  - C (3) The sin offering of fowl—its blood renders permissible its flesh for the priests [Lev. 5:9].
  - D (4) Bullocks which are to be burned and (5) he-goats which are to be burned—their blood renders permissible their sacrificial portions to be offered.
  - E R. Simeon says, "Any [offering, the blood of which is] not [sprinkled] on the outer altar, as in the case of peace offerings [= the firstling, B. Zeb. 44a] they are not liable on its account because of [transgression of the laws of] refuse."
- **4:5** A Holy things of gentiles— they are not liable on their account because of [transgression of the laws of] refuse, remnant, and uncleanness.
  - B "And he who slaughters them outside [the courtyard] is free of liability," the words of R. Meir.
  - C R. Yose declares liable [for refuse, remnant, uncleanness, and slaughter outside the courtyard].
  - D Things on account of which they are not liable because of [transgression of the laws of] refuse [= M. 3:4–5, 4:3], on their account are they [nonetheless] liable because of [transgression of the laws of] remnant, because of [transgression of the laws of] uncleanness, except for the blood [M. 4:3A7].
  - E R. Simeon says, "[This is the rule] for something which is usually eaten.
  - F "But [in the case of something not usually eaten], for example, the wood, and the frankincense, and the incense offering, they are not liable on their account because of [transgression of the laws of] uncleanness."

[Supply, following D: And sages say, "Also: something which is not usually eaten—they are liable because of uncleanness."]

- **4:6** A For the sake of six things is the animal offering sacrificed:
  - (1) for the sake of the animal offering,
  - (2) for the sake of the one who sacrifices it,
  - (3) for the sake of the Lord,
  - (4) for the sake of the altar fires,
  - (5) for the sake of the odor,
  - (6) for the sake of the pleasing smell.
  - B And as to the sin offering and the guilt offering, for the sake of the sin [expiated thereby].

- C Said R. Yose, "Even: One who was not [mindful] in his heart for the sake of one all of these [but slaughtered without specifying these things]—it is valid,
- D "for it is a condition imposed by the court, that: "Intention follows only [the mind of] the one who carries out the act [not the owner; and the officiant does not specify the six things at all]."
- **5:1** A What is the place [in which the act of sacrifice] of the animal offerings [takes place]?
  - B Most Holy Things [the whole offering, sin offering, and guilt offering] the act of slaughtering them is at the north [side of the altar].
  - C The bullock and the he-goat of the Day of Atonement—the act slaughtering them is at the north.
  - D And the receiving of their blood is in a utensil of service at the north [side of the altar].
  - E And their blood requires sprinkling over the space between the bars [of the ark], and on the veil, and on the golden altar.
  - F One act of placing of their [blood] [if improperly done] impairs [atonement].
  - G And the remnants of the blood did one pour out at the western base of the outer altar.
  - H [But] if he did not place [the remnants of their blood at the stated location], he did not impair [atonement].
- **5:2** A Bullocks which are to be burned and he-goats which are to be burned
  - B the act of slaughtering them is at the north [side of the altar].
  - C And the receiving of their blood is in a utensil of service at the north.
  - D And their blood requires sprinkling on the veil and on the golden altar.
  - E [The improper sprinkling of] one act of placing of their [blood] impairs [atonement].
  - F The remnants of their blood did one pour out on the western base of the outer altar.
  - G If he did not place [the remnants of the blood at the stated location], he did not impair [atonement].
  - H These and those are burned in the ash pit.
- **5:3** A Sin offerings of the community and of the individual—
  - B what are the sin offerings of the community? He-goats [offered for] new moons and for festivals —)
  - C the act of slaughtering them is at the north [side of the altar].
  - D And the receiving of their blood is in a utensil of service at the north.
  - E And their blood requires four acts of placing on the four horns [corners of the outer altar].
  - F How so?
  - G He went up on the ramp, and went around the circuit, and went around to the southeastern corner, the northeastern corner, the northwestern corner, the southwestern corner.
  - H The remnants of the blood did he pour out on the southern base.
  - I And they are eaten inside the veils [that is, in the courtyard] by males of the priesthood, and [cooked for food] in any [manner of cooking] food [roasting or boiling], for a day and night, up to midnight.
- **5:4** A The burnt offering is Most Holy Things.
  - B The act of slaughtering it is at the north.
  - C And the receiving of its blood is in a utensil of service at the north.
  - D And its blood requires two acts of placing which are [divided at the corner into] four.

- E And it requires flaying, and cutting into pieces, and [being] wholly [burned] on the altar fires.
- **5:5** A The peace offerings of the congregation and the guilt offerings—
  - B (What are the guilt offerings? (1)The guilt offering for false dealing, and (2) the guilt offering for acts of sacrilege, and (3) the guilt offering [because of intercourse with] a betrothed bondwoman, and (4) the guilt offering of a Nazir, and the (5) guilt offering of the *mesora*, and (6) the suspensive guilt offering—)
  - C the act of slaughtering them is at the north [side of the altar].
  - D And the receiving of their blood is with a utensil of service at the north.
  - E And their blood requires two acts of placing, which are four.
  - F And they are eaten [only] inside the veils, by males of the priesthood, and [cooked for food] in any [manner of cooking] food, for a day and a night, up to midnight.
- **5:6** A The thank offering and the ram of the Nazirite are Lesser Holy Things.
  - B The act of slaughtering them is in any place in the courtyard.
  - C And their blood requires two acts of placing which are four.
  - D And they are eaten throughout the city [of Jerusalem], by any person, [cooked for food] in any [manner of cooking] food, for a day and a night, up to midnight.
  - E That which is raised up from them [the breast and thigh, as heave offering] follows their rule, except that that which is raised up from them [as heave offering] is eaten [only] by priests, by their wives, by their children, and by their slaves.
- **5:7** A Peace offerings are Lesser Holy Things.
  - B The act of slaughtering them is in any place in the courtyard.
  - C And their blood requires two acts of placing which are four.
  - D And they are eaten throughout the city, by any person, [cooked for food] in any [manner of cooking] food, for two days and one [intervening] night.
  - E That which is raised up from them [the breast and thigh, as heave offering] follows their rule, except that which is raised up from them [as heave offering] is eaten by priests, by their wives, by their children, and by their slaves.
- **5:8** A The firstling and the tithe [of cattle] and the Passover are Lesser Holy Things.
  - B The act of slaughtering them is in any place in the courtyard.
    - C And their blood requires a single act of placing,
  - D provided that one places [the blood] at the base.
  - E [The law] imposed a difference on their manner of eating [from that of the Passover]:(1) The firstling is eaten by priests.
    - (2) And tithe [of cattle] by any person.
  - F And they are eaten throughout the city [cooked for food] in any [manner of cooking] food, for two days and one [intervening] night.
  - G The Passover is eaten only at night.
  - H And it is eaten only up to midnight.
  - I And it is eaten only by those that were assigned to it.
  - J And it is eaten only roasted.
- 6:1 A Most Holy Things which one slaughtered on top of the altar—

- B R. Yose says, "They are as if they were slaughtered at the north [side]."
- C R. Yose b. R. Judah says, "From the midpoint [above] the altar to the north is deemed equivalent to the north, from the midpoint [above] the altar to the south is deemed equivalent to the south."
- D Meal offerings were taken in hand in any place in the courtyard and were eaten within the veils by males of the priesthood in any manner of preparing food for that day and the [following] right up to midnight.
- **6:2** A The sin offering of fowl was prepared [its neck wrung, its blood tossed] at the southwestern corner [of the altar].
  - B [If it was prepared] in any place [in the courtyard, however,] it was valid. But this was its [usual] place.
  - C And three purposes did that [southwestern] corner serve below, and three above:
  - D Below [the red line]: (1) the sin offering of fowl, and (2) the bringing near [of meal offerings (M. Men. 5:5)], and (3) [for pouring out] the remnants of the blood [M. 5:3].
  - E Above [the red line at the southwestern horn]: (1) [for] the water offering [M. Suk. 4:9], and (2) [for] the wine offering, and (3) [for] the burnt offering of fowl,
  - F when it [the burnt offering of fowl] was [too] abundant at the east.
- **6:3** A Whoever goes up to the altar goes up on the right [east side] and makes a circuit and goes down on the left,
  - B except for the one who goes up for these three things [= M. 6:2E],
  - C who would go up and go back in [their own] track [thus turning rightward].
- **6:4** A The sin offering of fowl—how was it prepared?
  - B He [the priest] would wring off its head from its neck.
  - C But he does not divide [the head from the body].
  - D And [holding onto the bird,] he sprinkles its blood on the wall of the altar.
  - E The remnants of its blood would he drain out on the base [below the red line, as at M. 6:2D1].
  - F The altar owns only its blood, but the whole [rest] of it [the carcass] belongs to the priests.
- **6:5** A The burnt offering of fowl—how was it prepared?
  - B [The priest] went up on the ramp and went around the circuit.
  - C He came to the southeastern corner.
  - D He would wring off its head from its neck and divide [the head from the body].
  - E And he drained off its blood onto the wall of the altar.
  - F He took the head and pressed the place where it was severed against the altar.
  - G And he dried it with salt and tossed it on the altar fires [Lev. 2:13].
  - H He came to the body and removed the crop and the plumage and the intestines which come out with it.
  - I And he threw them on the place of the ashes.
  - J He slit [the body] open [at the wings] but did not divide it.
  - K But if he divided it, it is valid.
  - L And he dried it with salt and tossed it on the altar fires.
- **6:6** A [If] he did not remove the crop or the plumage or the intestines which go out with it and did not salt it—

- B anything which he did in a different way after he had drained out its blood—
- C it is valid.
- D [If] he divided [the head from the body] in the case of a sin offering [of fowl] but did not divide [them] in the case of burnt offering [of fowl] [since this is before the rite of draining of the blood of the body], he has rendered it invalid.
- E [If] he drained off the blood of the head but did not drain off the blood of the body, it is invalid.
- F [If] he drained off the blood of the body but did not drain off the blood of the head, it is valid.
- 6:7 A The sin offering of fowl, [the neck] of which he wrung not for its own name,
  - B the blood of which he drained not for its own name,
  - C or [one of which he did] for its name and [one] not for its own name,
  - D or [one of which he did] not for its own name and [one] for its own name—
  - E is invalid.
  - F [In the case of] the burnt offering of fowl, it is valid, with the proviso that it has not gone to the credit of its owner.
  - G All the same [in the following aspects] are the sin offering of fowl and the burnt offering of fowl, [the heads] of which he wrung off, and the blood of which he drained out—
  - H [with the intention] (1) to eat something which is usually eaten, (2) to burn something which is usually burned,
  - I outside of its proper place
    - it is invalid. And extirpation does not apply to it.
  - J [If he wrung off the head or drained the blood] with the intention of eating what is to be eaten or of burning what is to be burned outside of its proper time, it is refuse, and they are liable on its account for extirpation,

with the proviso that that which renders the offering permissible is offered in accord with its requirement.

- K How is that which renders the offering permissible offered in accord with its requirement?
- L [If] he wrung the neck in silence, and drained the blood [intending to eat what is to be eaten or to burn what is to be burned] outside of its proper time,
- M or [if] he wrung the neck [intending to eat what is to be eaten or to burn what is to be burned] outside of its proper time, and drained off the blood in silence,
- N or [if he] wrung the neck and drained off the blood [intending to eat the flesh or burn the sacrificial parts] outside of its proper place—
- O this is [what is meant by a case in which] that which renders the offering permissible has been offered in accord with its requirement.
- P How is that which renders the offering permissible not offered in accord with its requirement?
- Q [If] he wrung the neck [with the intention of eating the flesh or offering the sacrificial parts] outside of its proper place, and he [then] drained off the blood [intending to eat the flesh or offer the sacrificial parts] outside of its proper time,
- R or [if] he wrung the neck [intending to eat the flesh] outside of its proper time, and drained off the blood [intending to eat the flesh or to burn the sacrificial parts] outside of its proper place—
- S or [if] he wrung the neck and drained off the blood [intending to eat the flesh] outside of its proper place—

- T the sin offering of fowl, [the neck of which] one wrung not for its own name, and the blood of which one drained off [intending to eat the flesh or to offer up the sacrificial parts] outside of its proper time—
- U or the neck of which one wrung [intending to eat the flesh or to burn the sacrificial parts] outside of its proper time, and the blood of which one drained off not for its own name—
- V or the neck of which one wrung and the blood of which one drained off not for its own name—
- W this is a case in which that which renders the offering permissible has not been offered in accord with its requirement.
- X [If one did any of these things intending] to eat an olive's bulk outside and an olive's bulk on the next day,
- Y an olive's bulk on the next day and an olive's bulk outside,
- Z a half-olive's bulk outside and a half-olive's bulk on the next day,
- AA a half-olive's bulk on the next day and a half-olive's bulk outside—
- BB it is unfit. And extirpation does not apply to it.
- CC Said R. Judah, "This is the general rule: If the [improper] intention concerning time came before the [improper] intention concerning place, it is refuse, and they are liable on its account to extirpation.
- DD "But if the [improper] intention concerning place came before the [improper] intention concerning time, it is invalid and extirpation does not apply to it."
- EE And sages say, "This [case] and that are invalid, and extirpation does not apply to it."
- FF [If one intended] to eat a half-olive's bulk and to offer up a half-olive's bulk, it is valid.
- GG For eating and offering up do not join together.
- 7:1 A The sin offering of fowl which one prepared below [the red line],
  - B (1) in accord with the rites of the sin offering [M. 6:4],
  - C (2) in the name of the sin offering,
  - D is valid.
  - E [If one prepared it] (1) in accord with the rites of the sin offering,
  - F (2) for the name of the burnt offering [M. 6:7]—
  - G (1) [or] in accord with the rites of the burnt offering [below the line, M. 6:5],
  - H (2) for the name of the sin offering—
  - I (1) for] in accord with the rites of the burnt offering,
    - (2) for the name of the burnt offering,
  - J it is invalid.
  - K [If] one prepared it above [the red line instead of below, but otherwise] in accord with the rites of either of them,
  - L it [in all events] is invalid.
- **7:2** A The burnt offering of fowl which one prepared above [the red line],
  - B (1) in accord with the rites of the burnt offering,
  - C (2) for the sake of the burnt offering,
  - D is valid.
  - E [If one prepared it] (1) in accord with the rites of the burnt offering,
  - F (2) for the sake of the sin offering,
  - G it is valid,
  - H except that it does not go to the owner's credit [in fulfillment of an obligation].
  - I [If he did so] (1) in accord with the rites of the sin offering
  - J for the sake of a burnt offering,

- K [or] (1) in accord with the rites of the sin offering,
- L (2) for the sake of the burnt offering,
- M (1) in accord with the rites of the sin offering,
- N (2) for the sake of the sin offering,
- O it is invalid.
- P [If] he prepared it below [the red line] in accord with the rites of either of them,
- Q it is invalid.
- **7:3** A And all of them [which are invalid] do not impart uncleanness in the gullet.
  - B And the laws of sacrilege apply to them,
    - C except in the case of the sin offering of the fowl which one prepared below in accord with the rites of the sin offering for the name of the sin offering [which may be eaten by the priest].
- **7:4** A The burnt offering of fowl which one prepared below, in accord with the rites of the sin offering for the sake of the sin offering—
  - B R. Eliezer says, "The laws of sacrilege apply to it."
  - C R. Joshua says, "The laws of sacrilege do not apply to it."
  - D Said R. Eliezer, "Now if the sin offering, to which the laws of sacrilege do not apply [when one prepared it] for its own name [M. 7:3C], is subject to the laws of sacrilege when one did it for the sake of some other name [lit." when he changed its name"],
  - E "the burnt offering, to which the laws of sacrilege do apply [when one offered it] for its own name, when one did it for the sake of some other name ["when he changed its name"],— is it not logical that the laws of sacrilege should [continue to] apply to it?"
  - F Said to him R. Joshua, "No. If you have so stated the rule in the case of the sin offering, the name of which one has changed to the name of the burnt offering, [that is because] one indeed has changed its name to that of something to which the laws of sacrilege apply. [But] will you so state the rule in the case of the burnt offering, the name of which one changed to the name of the sin offering? For indeed he has changed its name to that of something to which the laws of sacrilege do not apply."
  - G Said to him R. Eliezer, "Now, behold—Most Holy Things which one slaughtered at the southern [side of the altar, instead of the northern side], and slaughtered for the name of Lesser Holy Things [e. g., peace offerings], will prove the case. For one indeed has changed their name for that of something to which the laws of sacrilege do not apply [for said law applies only to the sacrificial portions], yet the laws of sacrilege do apply to them.
  - H "So you should not be surprised concerning the burnt offering. For even though one changed its name to that of something to which the laws of sacrilege do not apply, the laws of sacrilege should most certainly apply to it."
  - I Said to him R. Joshua, "No. If you have so stated the rule in connection with Most Holy Things which one slaughtered at the southern side of the altar and slaughtered for the sake of Lesser Holy Things, [that is because] he indeed has changed their name to that of something in which there is both what is forbidden [the sacrificial portions of Lesser Holy Things are forbidden under the law of sacrilege] and what is permitted [their flesh is permitted]. But will you say so concerning the burnt offering, the name of which one has changed for that of something which is wholly permitted [the sin offering is entirely given over to the priest, M. 6:4]?"
- **7:5** A (1) [If] one pinched the neck with his left hand or at night,

- B (2) [if he] slaughtered unconsecrated [birds] inside [the Temple courtyard] or Holy Things [consecrated birds] outside—
- C they do not impart uncleanness of the gullet [M. 7:3A].
- D (1) [If] one pinched the neck with a knife [not with his fingernail, as is required],
- E (2) [if] he pinched the neck of unconsecrated [birds] inside, or of Holy Things outside [instead of inside the courtyard, where consecrated fowl alone are properly killed by pinching the neck]—
- F [if he pinched the neck of] (1) turtledoves whose time had not yet come [to serve as sacrifices],
- G (2) and young pigeons whose time had passed [for serving as sacrifices],
- H (3) and [a bird] whose wing had dried up,
- I (4) or whose eye was blinded,
- J (5) or whose leg was cut off [which are not suitable for sacrifices]—
- K it imparts uncleanness of the gullet.
- L This is the principle: Any [bird] which became invalid [while] in the sanctuary [subject to the rites of sacrifice] does not impart uncleanness of the gullet [for the pinching itself is valid to remove the carcass from the category of carrion].
- M [If] it did not become invalid [while] in the sanctuary [subject to the cultic processes], it does impart uncleanness of the gullet.
- N And all those [people who are] invalid [listed at M. 2:1], who pinched the neck of a bird their act of pinching the neck is invalid [so far as the cult is concerned]. But they [the carcasses of the birds whose necks they have pinched] do not impart uncleanness of the gullet [since the invalidity has to do with the cultic processes, but not with the act of pinching or the character of the bird itself].
- 7:6 A [If] one pinched off the neck and [the bird] turned out to be *terefah*
  - B R. Meir says, "It does not impart uncleanness of the gullet [since slaughtering a beast is wholly equivalent to pinching the neck of a bird]."
  - R. Judah says, "It does impart uncleanness of the gullet."
     [Birds and beasts in no way are comparable; neither slaughtering an unconsecrated clean bird nor pinching the neck of a consecrated one will exempt from uncleanness a bird which turns out to be *terefah*.]
  - D Said R. Meir, "Now if in the case of the carrion of a beast, which imparts uncleanness through contact and through carrying, proper slaughter renders clean from its uncleanness that which was *terefah*,
  - E "[in the case of] the carrier of fowl, which does not impart uncleanness through contact and through carrying, it should logically follow that its proper slaughter should render clean from its uncleanness that which was *terefah*.
  - F "Just as we find that its proper slaughter [in the case of a bird or beast] renders it valid for eating and renders it clean from its uncleanness in the case of *terefah*, so proper pinching of the neck, which renders it valid for eating, should render it clean from its uncleanness in the case of *terefah*."
  - G R. Yose says, "It is sufficient that it [the slaughtering of the bird] be equivalent to the carrion of a beast: its [a beast's or a bird's] slaughtering renders clean [what is *terefah*], but the pinching of the neck [of a bird does] not [render clean what is *terefah*]."
- 8:1 I A All animal offerings with which were mixed up (1) sin offerings that were left to die [M. Tem. 2:2] or (2) an ox to be stoned—
  - B even one [sin offering left to die] in ten thousand [suitable animal offerings]—

- C let all of them be left to die.
- II D [If] they [animal offerings] were mixed up with (1) an ox upon which a sin was committed, or (2) [an ox] which had been found guilty of killing a man on the evidence of a single witness or on the evidence of the owner,
  - E (1) with an ox which had sexual relations with a human, or (2) with an ox with which a human had sexual relations, or (3) with an ox which had been set aside [for idolatry (M. Tem. 6:1)], or (4) with an ox which had been worshipped, or (5) with an ox which had served as a harlot's hire, or (6) with an ox which had served as the price of a dog, or (7) with an ox which was crossbred, or (8) with an ox which was *terefah*, or (9) with an ox born from the side—
  - F let them [all] pasture until they suffer a blemish [since one of them is a valid consecrated beast], and [then] be sold, and let [the owner] bring [another sacrifice, purchased] with the proceeds of the best of them of that kind [that had been mixed up with the invalid beasts].
- III G [If] they were mixed up with unblemished unconsecrated beasts, the unconsecrated beasts are to be sold to those who require that particular kind [of sacrifice].
- 8:2 IV A Consecrated beasts [belonging to several owners, which were mixed up] with [other] consecrated beasts of the same kind [of offering, so we do not know to whom the several beasts belong]— this one is offered for the sake of one [among the owners] and that one is offered for the sake of one [among the owners].
  - V B Consecrated beasts [which were mixed up] with other consecrated beasts [e. g., burnt offerings and peace offerings], not of the same kind [of offerings] [and which therefore are offered with different rites, e. g., different numbers of acts of sprinkling blood, rules of consuming the flesh, and the like]—
    - C let them pasture until they suffer a blemish, and [then] be sold [separately], and let [the owner] bring with the proceeds of the best of them [a sacrifice] [e. g., peace offerings] of that kind, and let him lose [make up] the [added] difference from his own property.

VI D [If] they were mixed up with a firstling or with tithe [of cattle]—

- E let them pasture until they suffer a blemish, and be eaten as a firstling [by priests] and as tithe [by ordinary folk] [but not slaughtered in the public market or sold by weight].
- F All can be mixed up [without the possibility of discerning an animal for one sacrifice from that for another], except a sin offering, [which is female or which is a male goat], with a guilt offering, [which is a male sheep or ram].
- **8:3** A A guilt offering which was mixed up with peace offerings—let *them pasture until they suffer a blemish* [M. 8:2].
  - B R. Simeon says, "Both of them are slaughtered at the north [as a guilt offering, M. 5:5] and are eaten in accord with the rules governing the more stringent of them [as a guilt offering, inside the courtyard, by male priests for a day and a night].
  - C They said to him, "They do not bring Holy Things to the status of invalidity."
  - D [If] pieces [of meat of one offering] were mixed up with pieces [of meat of other offerings]—

(1) Most Holy Things with Lesser Holy Things [e.g., pieces of a sin offering or a guilt offering with pieces of a thank offering]

(2) things which are to be eaten on one day with things which are to be eaten on two days [e. g., pieces of a thank offering and those of peace offerings]

- E they are eaten in accord with the rules governing the more stringent of them.
- 8:4 A The limbs of a sin offering which were mixed up with the limbs of a burnt offering—
  - B R. Eliezer says, "Let him place [them all] above [the altar fires].
  - C "And I regard the meat of the sin offering [which is] on top [of the fires] as if it were wood."
  - D And sages say, "Let their appearance be spoiled, and let them go out to the place of burning [as remnant]."
- 8:5 A Limbs [of burnt offerings] which were mixed with the limbs of blemished beasts [which are not offered]—
  - B R. Eliezer says, "If the head of one of them was [inadvertently] offered, let all the heads be offered [in the assumption that the one which already has been offered is the one which was blemished].
  - C "[If] the leg of one of them [had been offered], let all the legs be offered [in the same assumption]."
  - D And sages say, ["Even if all of them except one had inadvertently] been offered, let it go forth to the place of burning [since that one may be the blemished one]."
- **8:6** I A Blood which was mixed with water,
  - B if it [the mixture] has the appearance of blood, is valid.
  - II C [If] it was mixed in wine,
  - D they regard it as if it were water [and if the mixture is blood-color, it is valid].
  - III E [If] it [blood of Holy Things] was mixed with the blood of a beast or with the blood of fowl [which were unconsecrated], they regard it as if it were water.
    - F R. Judah says, "Blood [under any circumstances] does not annul blood."
- 8:7 IV A [If] it was mixed with the blood of unfit [offerings], let it be poured out into the gutter.
  - V B [If it was mixed] with blood which exuded after death, let it be poured out into the gutter.
    - C R. Eliezer declares fit] valid.
    - D If the priest did not pay mind to it and placed [the blood on the altar], [the offering] is valid.
- **8:8** VI A Blood of unblemished animals [which was mixed] with the blood of blemished animals—
  - B let it be poured out into the gutter.
  - VII C A cup [of one kind of blood which was confused] with cups [containing another kind of blood]—
    - D R. Eliezer says, "[If] one cup was offered, let all the cups be offered."
    - E And sages say, "Even if all of them except one had been offered, let it [the remaining one] be poured out into the gutter."
- **8:9** VIII A [Blood] which was to be sprinkled below [e. g., of a burnt offering] which was mixed up with [blood] which is to be sprinkled above [e.g., of a sin offering, as at M. 5:3]—

		В	R. Eliezer says, "Let him [the priest] sprinkle it [first] above [the red line in four acts of sprinkling].
		С	"And I regard [the blood which is to be sprinkled] below [that has been sprinkled] above as if it were water.
		D	"And [then] let him go and sprinkle [blood one time] below [the line as well. The remnants of blood of a sin offering in any case are poured out at the base, so M. 5:3]."
		E F	And sages say, "Let them be poured out into the gutter." But if [the priest] did not pay mind to it [inquire about it] and placed [the blood on
			the altar], [the offering] is valid.
8:10	IX	А	[Blood] which is to be tossed in a single act of tossing which was mixed up with [blood] which is to be tossed in a single act of tossing—
		В	let them be tossed in a single act of tossing [below the red line].
	Х	С	[Blood] which is to be tossed in four acts of tossing [which was mixed up with]
			blood which is to be tossed in four acts of tossing—
		D	let them be tossed in four acts of tossing [below the red line].
	XI	E	[Blood] which is to be tossed in four acts of tossing [which was mixed up] with
	ΛΙ		blood which is to be tossed in one act of tossing—
		F	R. Eliezer says, "Let them be tossed in four acts of tossing."
		G	R. Joshua says, "Let them be tossed in a single act of tossing."
		Η	Said to him R. Eliezer, "And lo, he transgresses the rule against diminishing [the required acts of tossing—Dt. 4:2]."
		Ι	Said to him R. Joshua, "And lo, he transgresses the rule against adding [to the required acts of tossing—Dt. 4:2]."
		J	Said to him R. Eliezer, "The prohibition against adding is stated only in connection with the act in itself."
		Κ	Said to him R. Joshua, "The prohibition against diminishing is stated only in connection with the act in itself."
		L	And further did R. Joshua say, "When you placed [the blood four times], you transgressed the prohibition against adding, and you did the deed with your own hand, and when you did not sprinkle [four times], you transgressed against the prohibition against diminishing, but [at least] you did not do the deed with your own hand."
8:11	XII	А	[Blood] which is to be placed [on the altar] inside [M. 5:1–2] which is mixed up with blood which is to be placed [on the altar] outside—
		В	let it be poured out into the gutter.
		C	[If the priest without paying mind] placed the blood outside and then went and placed it inside, it is valid.
		D	[If he placed it] inside and then went and placed it outside—
		E	R. Aqiba declares invalid [the sacrifice on the outer altar].
		F	And sages declare valid.
			•
		G	For R. Aqiba did say, "All drops of blood [which should have been sprinkled autaidal which are brought incide the constructure to affect atonement are invalid."
		TT	outside] which are brought inside the sanctuary to effect atonement are invalid."
		Н	And sages say, "[This applies] to the sin offering alone [which is invalidated by
		-	being brought inside, before the blood is tossed on the outer altar]."
		Ι	R. Eliezer says, "[It also applies] to the guilt offering, since it says, <i>As is the sin offering, so is the guilt offering</i> (Lev. 7:7)."

- 8:12 A A sin offering [sacrificed in the courtyard], the blood of which one received in two cups—
  - B one of them went forth [outside the courtyard]—
  - C the one which remained inside is valid [and so is the sin offering].
  - D [If] one of them went inside [into the *Heikhal* and so was invalidated, M. 8:11G-H]—
  - E R. Yose the Galilean declares the one which remained outside [in the courtyard] to be valid.
  - F And sages declare it invalid.
  - G Said R. Yose the Galilean, "Now if in a situation in which intention renders the rite invalid, namely, in connection with [the intention to sprinkle the blood] outside [the Temple court] [= M. 2:2], [the law of M. 8:12A-C] has not treated that which remains as equivalent to that which goes forth,
  - H "in a situation in which intention does not render the rite invalid, [namely, in connection with the intention to sprinkle the blood (= M. 3:6)] inside [the Temple court], is it not logical that we should not treat that which remains as equivalent to that which enters in?"
  - I "[If] it was taken inside to make atonement, even though he did not make atonement, it is invalid, "the words of R. Eliezer.
  - J R. Simeon says, "[It does not become invalid] until it makes atonement."
  - K R. Judah says, "If he brought it in inadvertently [even if he tossed the blood], it is valid."
  - L [As to] all kinds of invalid blood which were placed on the altar—
  - M the frontlet does not effect acceptance except for the unclean [blood in the mixture].
  - N For the frontlet effects acceptance for that which is unclean. But it does not effect atonement for that which goes forth.
- **9:1** A The altar sanctifies that which is appropriate to it.
  - B R. Joshua says, "Whatever is appropriate to the altar fires, if it has gone up [onto the fires], should not go down,

"since it is said, *This is the burnt offering—that which goes up on the hearth on the altar* (Lev. 6:9)—

"Just as the burnt offering, which is appropriate to the altar fires, if it has gone up, should not go down, so whatever is appropriate to the altar fires, if it has gone up, should not go down."

C Rabban Gamaliel says, "Whatever is appropriate to the altar, if it has gone up, should not go down.

"As it is said, *This is the burnt offering on the hearth on the altar* (Lev.6:2)— "Just as the burnt offering, which is appropriate to the altar, if it has gone up, should not go down, so whatever is appropriate to the altar, if it has gone up, should not go down."

- D The difference between the opinion of Rabban Gamaliel and the opinion of R. Joshua is only the blood and the drink offerings.
- E For Rabban Gamaliel says, "They should not [having been placed on the altar] go down."
- F And R. Joshua says, "They should go down."
- G R. Simeon says, "[If] (1) the animal sacrifice is valid and the drink offerings invalid, (2) the drink offerings valid and the animal sacrifice invalid,
- H "[or] even if (3) this and that are invalid—
- I "the animal sacrifice should not go down, and the drink offerings should go down."
- **9:2** A And what are those things which, if they have gone up, should not go down?
  - (1) That which remains overnight,
  - (2) and that which is unclean,
  - (3) and that which goes forth [from its proper bounds],

(4) and that which is slaughtered [with the intention to burn the sacrificial parts or to eat the flesh] outside of its proper time or outside of its proper place,(5) and that, the blood of which unfit people [M. 2:1] have received or tossed.

- B R. Judah says, "(1) That which is slaughtered by night, and (2) that, the blood of which has been poured out,
  "and (3) that, the blood of which has gone forth beyond the veils" if it has gone up, should go down."
- C R. Simeon says, "It should not go down" [for its invalidity [took place] in the sanctuary].
- D For R. Simeon did say, "Anything, the invalidity of which [took place] in the sanctuary the sanctuary accepts it [so that it should not be removed from the altar]. [If] its invalidity did not [take place] in the sanctuary, the sanctuary does not accept it [and it should be removed from the altar].'
- 9:3 A What are those things, the invalidity of which did not [take place] in the sanctuary?
  B (1) The animal which has had sexual relations with a human, and (2) the animal with which a human had sexual relations; and (3) that which is set aside for idolatrous worship, and (4) that which actually is worshipped; and (5) the hire of a harlot, and (6) the price of a dog; and (7) the crossbred animal; and (8) the animal which turned out to be *terefah*, and (9) that which goes out by the side.
  - C And (10) animals which are blemished.
  - D R. Aqiba declares valid in the case of animals which are blemished. [Thus if they have gone up, they should not go down.]
  - E R. Hananiah, Prefect of the Priests, says, "Father did reject animals which had been blemished [even] from on top of the altar."
- **9:4** A Just as, if they have gone up, they should not go down, so if they have gone down, they should not [once more] go up.
  - B But all of them [M. 9:2A] which have gone up alive to the top of the altar should go down.
  - C A burnt offering which went up alive to the top of the altar should go down.
  - D [If] one did slaughter it on top of the altar, [however] he should then flay and divide it in its place [where it lies, on top of the altar].
- **9:5** A What are those things which, [even] if they have gone up, should go down [since they are not offered at all and therefore are not appropriate to the altar]?

(1) The flesh [for the priests] of Most Holy Things [sin offerings and guilt offerings] and the flesh of Lesser Holy Things [which is to be eaten, e. g., peace offerings],

- (2) and the residue of the *omer*,
- (3) and the two loaves [of Shabuot] and the shewbread [Lev. 24:5–19],
- (4) and the residue of meal offerings,

(5) and the incense offering [placed on the outer, rather than the inner altar to which it is appropriate].

- B The (1) wool on the heads of lambs, and (2) the hair of the beard of goats, and (3) the bones, and (4) the sinews, and (5) the horns, and (6) the hooves, when they are attached [to the flesh], should go up [onto the altar], as it is said, *And the priest shalt burn the whole upon the altar* (Lev. 1:9).
- C [If] they are separated, they should not go up, as it is said, *And you shall offer your burnt offerings: the flesh and the blood* (Dt. 12:27).

- **9:6** A And any of them [= M. 9:5B] which burst from off the altar—
  - B one should not put them back.
  - C And so [is the rule for] a coal which burst from off the altar.
  - D Limbs which burst from off the altar,
  - E before midnight—
  - F one should put them back.
  - G And the laws of sacrilege apply to them.
  - H [If they burst] after midnight, one should not put them back, and the laws of sacrilege do not apply to them.
- 9:7 A Just as the altar sanctifies that which is appropriate to it, so the ramp sanctifies.
  - B Just as the altar and the ramp sanctify that which is appropriate to them, so utensils [Ex. 30:28–29] sanctify [that which is appropriate to them]:
    - (1) utensils for liquids [blood, wine, oil, water] sanctify liquid;

(2) and measures for drystuffs [the tenth of the *ephah* and half *issaron* measures] sanctify that which is dry.

- C Utensils for liquids do not sanctify that which is dry, and measures for drystuffs do not sanctify that which is liquid.
- D Holy utensils which are perforated, if they perform their former function which they did when they were whole, sanctify.
- E And if not, they do not effect sanctification.
- F And all of them make holy [what is contained in them] only [when they are] in the sanctuary [courtyard].
- **10:1** A Whatever is [offered] more often than its fellow takes precedence over its fellow: (1) The continual offerings [daily whole offerings] take precedence over additional offerings.

(2) The additional offerings of the Sabbath take precedence over the additional offerings of the new moon.

(3) The additional offerings of the new moon take precedence over the additional offerings of the New Year [which also is a new moon],

B since it is said, *In addition to the morning burnt offering which is for a daily whole offering you will prepare these* (Num. 28:23).

**10:2** A And whatever is more holy than its fellow takes precedence over its fellow:

(1) The blood of the sin offering takes precedence over the blood of the burnt offering, because it makes atonement [for a sin].

(2) The limbs of the whole offering take precedence over the sacrificial parts of a sin offering,

because they are wholly given to the fires.

(3) The sin offering takes precedence over the guilt offering, because its blood is placed on the four corners [of an altar] and on the foundation.

(4) The guilt offering takes precedence over the thank offering and the ram of the Nazir, because it is Most Holy Things.

(5) The thank offering and the ram of the Nazir take precedence over peace offerings, because they are eaten for one day [unlike peace offerings which are eaten for two days] and require bread [Lev. 7:12–13].

(6) The peace offerings take precedence over the firstling,

because they require [two placings which are] four placings [of blood], and laying of hands, and drink offerings, and waving of the breast and thigh. 10:3 (7) The firstling takes precedence over tithe of cattle, because it is sanctified from the Α womb, and it is eaten [only] by priests. (8) The tithe of cattle takes precedence over fowl [even though the latter falls within Most В Holy Things], because it is an animal sacrifice [killed with a knife, unlike fowl], and there pertain to it Most Holy Things: its blood and its sacrificial parts [which are placed on the altar]. 10:4 А (9) Fowl take precedence over meal offerings, because they fall [within the class] of [that which produces] blood [for atonement]. В The meal offering of a sinner [Lev. 5:13] takes precedence over the freewill meal offering, because it comes on account of sin. С The sin offering of fowl takes precedence over the burnt offering of fowl, D and so [too it takes precedence over the burnt offering] when [the two birds] are dedicated [for an offering, Lev. 5:7]. 10:5 А All sin offerings which are [mentioned] in the Torah take precedence over guilt offerings [listed at M. 5:5 = M. 10:2A3], В except for the guilt offering of the mesora, because it comes to render [him] fit [to enter the Temple and eat Holy Things]. С D All guilt offerings which are [mentioned] in the Torah come from animals in their second year and must be two shekels in value, Е except for the guilt offering of the Nazir and the guilt offering of the mesora, which are offered in their first year and do not have to be two *shekels* in value. F 10:6 А Just as they [the above-mentioned offerings, more holy than some other, M. 10:2–4] take precedence in being offered up, so they take precedence in being eaten. В Peace offerings of vesterday and peace offerings of today—those of vesterday take precedence. С "Peace offerings of yesterday and a sin offering and a guilt offering of today—those of vesterday take precedence," the words of R. Meir. And sages say, "The sin offering takes precedence, because it is Most Holy Things." D **10:7** And in the case of all of them [which are eaten], the priests are permitted to vary the А manner of eating them: to eat them (1) roasted, (2) seethed, or (3) cooked. "And to put in them unconsecrated spices or spices of heave offering," the words of R. В Simeon. С R. Meir says, "He should not put into them spices of heave offering, so that he not bring heave offering to the state of invalidity." 10:8 Said R. Simeon, "If you have seen oil spread about in the Temple court [divided up among Α the priests], you do not have to ask, 'What is it?' But it is the residue of the meal offering wafers of Israelites or of the log of oil of a mesora.

- B "If you have seen oil put on top of the altar fires, you do not have to ask, 'What is it?' But it is the residue of the meal offering wafers of priests or the meal offering of the anointed priest."
- C For: They do not offer oil as a freewill offering.
- D R. Tarfon says, "They do offer oil as a freewill offering."
- **11:1** A The blood of a sin offering which splattered on the garment—
  - B lo, this [garment] requires washing.
  - C Even though Scripture speaks only about [sin offerings] which are eaten, as it is said, *In a holy place will it be eaten* (Lev. 6:26), [nonetheless], all the same are that which is eaten and that [the blood of which must be brought to the] inner area in requiring washing,
  - D as it is said, *The law of the sin offering* (Lev. 6:25)—one law for all sin offerings.
- **11:2** A An invalid sin offering— its blood [which spurted on a garment] does not require washing,
  - B (1) whether it had a moment of validity [for tossing the blood] or (2) it did not have a moment of validity [having been invalidated before the receiving of the blood].
  - C What is the sort which had a moment of validity (B1)?
  - D That which remained overnight or which was made unclean or which went forth [beyond the veils].
  - E And what is the sort which did not have a moment of validity (B2)?
  - F That which was slaughtered [with the intention to eat the meat or to toss the blood] outside its proper time or outside its proper place, and that [the blood of] which unfit people received [M. 2:1], or the blood of which [unfit people] tossed.
- **11:3** A [If] the blood spurted [directly] from the neck onto the garment [and was not received in a pot], it does not require washing.
  - B [If the blood spurted] from the horn or from the foundation [of the altar], it does not require washing.
  - C [If] it was poured onto the pavement and one gathered it up [and then it spurted onto a garment], it does not require washing.
  - D That [sort of blood] which requires washing is only the blood which has been received in a utensil and which is suitable for sprinkling [on the altar].
  - E "[If] it spurted onto the hide before it was flayed, it does not require washing. [If it spurted onto the hide] after it was flayed, it does require washing," the words of R. Judah.
  - F R. Eleazar says, "Also: [if it spurted onto the hide] after it was flayed, it does not require washing."
  - G Only (1) the place [on which] the blood has fallen and (2) something which is susceptible to receive uncleanness and (3) something which is suitable for washing require washing.
- **11:4** A The same are the cloth and the sackcloth and the hide: they require washing in a holy place [Lev. 6:20].
  - B And the breaking of earthenware utensils [in which a sin offering is cooked] is [to be] in a holy place.
  - C And the scouring and rinsing in the case of a copper utensil [are to be] in a holy place.
  - D This [rule] is more strict in the case of the sin offering than in the case of Most Holy Things.

- **11:5** I A A garment which went forth outside of the veils is brought back, and one washes it in a holy place.
  - B [If] it was made unclean [while] outside of the veils, one tears it, and it is brought back, and one washes it in a holy place.
  - II C An earthenware utensil which went forth outside of the veils is brought back, and one breaks it in a holy place.
    - D [If] it was made unclean outside of the veils, one makes a hole in it, and it is brought back, and one breaks it in a holy place.
- **11:6** III A A copper utensil which went forth outside of the veils is brought back, and one scours it and rinses it in a holy place.
  - B [If] it was made unclean outside of the veils, one breaks it down, and it is brought back and one scours and rinses it in a holy place.
- **11:7** A All the same are one in which one has cooked and one into which one has poured boiling [stew], [and] all the same are one [used] for Most Holy Things [e.g., a sin offering or a guilt offering] and one for Lesser Holy Things [e. g., peace offerings]:
  - B they require scouring and rinsing.
  - C R. Simeon says, "Those used for Lesser Holy Things do not require scouring and rinsing."
  - D R. Tarfon says, "If one cooked in it from the beginning of the festival, he cooks therein throughout the festival."
  - E And sages say, "At the end of the time [which is permissible] for eating [the offering], [the pot is subject to] scouring and rinsing."
  - F (1) Scouring [is done] as is the scouring of a cup.
    - (2) And rinsing [is done as is] the rinsing of a cup [on the outside].
    - (3) Scouring is done with hot water,
    - (4) and rinsing is done with cold water.
    - (5) And the spit and the grill [used for a sin offering] does one put into scalding water.
- **11:8** A [If] one cooked in it Holy Things and unconsecrated food,
  - B or Most Holy Things and Lesser Holy Things,
  - C if they were [sufficient] to impart flavor, lo, that [the rule of which is] less [stringent] is eaten in accord with the more stringent rule [applying to the more holy things].
  - D And [if they do not impart flavor] they do [not] require scouring and rinsing,
  - E and [if they do not impart flavor], they do [not] invalidate in contact.
  - F A wafer which touched [another] wafer, or a piece of meat [which touched] another piece of meat—
  - G not the whole of the wafer or the whole of the piece(s) [of meat] is prohibited.
  - H Prohibited is only the place which absorbed [that which is forbidden].
- **12:1** A (1) [A priest who is] a *tebul-yom* and one whose atonement is not yet complete do not share in Holy Things, to eat them in the evening.
  - B (2) [A priest who] mourns his next of kin touches but does not offer, and does not share [in, Holy Things], to eat them in the evening.
  - C (3) Blemished [priests], whether suffering permanent blemishes or temporary blemishes, share and eat [in Holy Things in the evening], but they do not offer up [sacrifices].
  - D (1) And whoever [except for C] is not fit for the [sacrificial] service does not share in the meat.

- E (2) And whoever does not have [a portion of] the meat has no portion in the hides [Lev. 7:8],
- F even [a priest who is] unclean at the time of the tossing of the blood but clean at the time of the burning of the fat does not share in the flesh,
- G as it is said, *He among the sons of Aaron who offers the blood of peace offerings and fat shall have the right thigh for a portion* (Lev. 7:33).
- **12:2** A Any [burnt offering], the meat of which the altar has not acquired [e. g., which was invalidated before the blood was tossed]—
  - B the priests do not acquire a right to its hide,
  - C as it is said, A man's burnt offering (Lev. 7:8)—
  - D A burnt offering which has been burned to the credit of a man.
  - E A burnt offering which was slaughtered not for its own name, even though it has not gone for the credit of the owner—its hide belongs to the priests [because, A, the altar has acquired its meat—M. 1:1A].
  - F All the same are the burnt offering of a man and the burnt offering of a woman—their hides belong to the priests.
- **12:3** A The hides of Lesser Holy Things belong to the owner, and the hides of Most Holy Things belong to the priests.
  - B And [this proposition is supported by] an argument *a fortiori:* Now if the burnt offering, the flesh of which does not belong to them, produces hide which belongs to them, Most Holy Things, the flesh of which does belong to them, all the more so should produce hides which belong to them.
  - C The altar itself does not prove the contrary, because it has no portion in the hide under any circumstances.
- **12:4** A All Holy Things [burnt offering, sin offering, guilt offering] which suffered an invalidity before they were flayed—
  - B their hides do not belong to the priests.
  - C [If an invalidity was incurred] after they were flayed, their hides belong to the priests.
  - D Said R. Hananiah, Prefect of the Priests, "In all my days I never saw a hide taken out to the place of burning."
  - E Said R. Aqiba, "From his statement we learn that:
    "He who flays the firstling [which was blemished and slaughtered] [that is, it was disqualified even before flaying] and it turns out to be *terefah*"
    "the priests make use of its hide."
  - F And sages say, "'We have not seen' is no proof. But:
  - G "It goes forth to the place of burning."
- **12:5** A Bullocks which are to be burned and goats which are to be burned [M. 5:1–2, Lev. 4:3, 13–14, 16:9, Num. 15:24],
  - B when they are [valid and therefore] to be burned in accord with their requirement [and have not been invalidated], are burned in the place of ashes.
  - C And they [who burn them] impart uncleanness to [their] clothing [Lev. 16:28].
  - D And if they are [invalid and therefore] not burned in accord with their requirement, they are burned in the *Bet Birah* [Temple precincts].
  - E And they do not impart uncleanness to clothing.

- **12:6** A They would carry them on poles.
  - B [If] the foremost [bearers] went outside the wall, and the latter did not [yet] go outside the wall,
  - C the former impart uncleanness to clothing,
  - D and the latter do not impart uncleanness to clothing—until they [actually] go forth.
  - E [If] both went forth, these and those impart uncleanness to clothing.
  - F R. Simeon says, "These and those [who are to burn the bullocks or goats] do not impart uncleanness to clothing until [they actually do the burning so that] the flame will take hold of their [the carcasses'] greater part."
  - G [When] the flesh has been wholly burned [to ashes], the one who burns it no longer imparts uncleanness to clothing [which he wears].
- **13:1** A He who [both] slaughters [Holy Things] and offers up [Holy Things] outside [the Temple courtyard] is liable for the act of slaughtering and is liable for the act of offering up.
  - B R. Yose the Galilean says, "[If] he slaughtered [the animal] inside and offered it up outside, he is liable.
  - C "[If] he slaughtered outside and offered up outside, he is free [of liability for the offering up].
  - D "For he has offered up outside only something which [in any event] is invalid [having been slaughtered outside, it could not have been offered inside anyhow]."
  - E They [= A] said to him, "Also: He who slaughters inside and offers up outside, since he took it outside, has invalidated it [and so too at B]."
- **13:2** A An unclean person who ate either unclean Holy Things or clean Holy Things, is liable.
  - B R. Yose the Galilean says, "An unclean person who ate clean [Holy Things] is liable. But an unclean person who ate unclean [Holy Things] is free [of liability].
    - C "For he ate only something [of Holy Things] which [in any event] is unclean."
    - D [They A] said to him, "Also: The unclean person who ate clean [Holy Things], since he touched it, has rendered it unclean."
    - E And a clean person who ate unclean [Holy Things] is free, for he is liable only on account of the contamination of the body.
- **13:3** A A more strict rule applies to slaughtering [Holy Things outside] than to offering up [outside], and to offering up than to slaughtering.
  - B More strict is [the rule which applies] in the case of slaughtering:
  - C For one who slaughters [Holy Things outside] [in behalf of] an ordinary person is liable.
  - D But one who offers up for [the use, e. g., the eating] of an ordinary person is free.
  - E More strict is [the rule which applies] in the case of offering up:
  - F Two who took hold of a knife and slaughtered [with it] are free of liability.
  - G [If] they took hold of a limb and offered it up, they are liable.
  - H "[If] one offered up [outside] and went and offered up [again] and went and offered up [again], he is liable [to bring a sin offering] for each and every act of offering up," the words of R. Simeon.
  - I R. Yose says, "He is liable only for one [act of offering up]."
  - J And he is liable only when he will offer up at the head of the altar [which he has built outside].
  - K R. Simeon says, "Even if he offered up on a rock or on a stone, he is liable."

- **13:4** A All the same are valid Holy Things and invalid Holy Things, the invalidity of which took place inside the sanctuary [M. 9:2], and [either of] which one offered up outside—
  - B he is liable.
  - C He who offers up as much as an olive's bulk of flesh of a burnt offering and of the sacrificial parts outside [the courtyard] is liable.
  - D (1) The handful, and (2) the frankincense, and (3) the incense, and (4) the meal offering of priests, and (5) the meal offering of the anointed priest, and (6) the meal offering which goes along with drink offerings,

an olive's bulk of one of which one offered up outside—he is liable.

- E R. Eleazar declares free, until he will offer up the entire [volume of the meal offering].
- F And all of them which one offered up inside, and of which one left as residue an olive's bulk, which one offered up outside—
- G he is liable.
- H And all of them which lacked any [of the requisite] amount at all, which one offered up outside—he is free [of liability, since offering them inside is invalid in any event].
- **13:5** A He who offers up Holy Things and their [unsevered] sacrificial parts outside is liable.
  - B A meal offering from which the handful had not been taken and which one offered up outside— he is free.
  - C [If] he took up the handful and put back the handful, and he offered it up outside, he is liable.
- **13:6** A The handful and the frankincense, one of which one offered up outside —he is liable [since either one alone is suitable for offering inside].
  - B R. Eleazar declares free of liability until he will offer up the second [as well, M. 13:4E].
  - C [If he offered up] one inside [first] and one outside [afterward], he is liable.
  - D Two dishes of frankincense, one of which one offered outside—he is liable.
  - E R. Eleazar declares exempt until he will offer up the second.
  - F [If he offered up] one inside [first] and one outside [afterward], he is liable.
  - G He who tosses part of the blood outside is liable.
  - H R. Eleazar says, "Also: He who offers the water libation of the Festival [of Sukkot] on the festival outside is liable."
  - I R. Nehemiah says, "The residue of the blood [of sin offerings of the inner altar (M. 5:1–3)] which one offered up outside—he is liable."
- **13:7** A He who pinches the neck of fowl inside and offered it up outside is liable.
  - B [If] he pinched the neck outside and offered it up outside, he is free.
  - C He who slaughters fowl inside and offered it up outside is free.
  - D [If] he slaughtered it outside and offered it up outside, he is liable.
  - E It turns out that the way of rendering it suitable inside is that which frees it from penalty outside, and the way of rendering it suitable outside
    - [= slaughter for eating unconsecrated fowl] is that which frees it from penalty inside.
  - F R. Simeon says, "Any act for which they are liable [when it is done] outside, for the like act are they liable [when it is done] inside and when one offered it up outside,
  - G "except for him who slaughters inside and offers up [the bird offering] outside."

- **13:8** A A sin offering, the blood of which one received in a single cup, and [the blood of which] one [first] placed outside, and then placed inside, [or placed] inside and then placed outside—
  - B he is liable,
  - C for all of it is suitable to come [to be placed on the altar] inside.
  - D [If] one received its blood in two cups, and placed [the blood of] both of them inside, he is free.
  - E [If he placed] the blood of both of them outside, he is liable.
  - F [If he placed the blood of] one of them inside and [then placed the blood of] one of them outside, he is free [for the latter no longer is suitable to come inside].
  - G [If he placed the blood of] one of them outside and [then] one of them inside,
  - H he is liable for that which he has placed outside, but the one [the blood of which he then placed] inside effects atonement.
  - I To what is the matter to be likened?
  - J To him who separates his sin offering, and it was lost, and he separated another in its place, and afterward the first one turned up, so that, lo, both of them are now available [and he may slaughter either of them].
  - K [If] he slaughtered both of them inside, he [obviously] is free [of liability].
  - L [If] he slaughtered both of them outside, he [obviously] is liable.
  - M [If he slaughtered] one inside and one outside, he is free.
  - N [If he slaughtered] one outside and the other inside, he is liable for the one which he has sacrificed outside, but the one which he sacrifices inside effects atonement.
  - O Just as [the sprinkling of] its blood renders its meat free [from the law of sacrilege], so it renders the meat of its fellow free.
- 14:1 A A [red] cow for purification [ashes] [Num. 19:9] which one burned outside of its pit—
  - B and so: a goat which is sent forth which one offered outside—
    - C he is free.
    - D As it is said, To the door of the tent of meeting he did not bring it (Lev. 17:4)—
    - E Whatever is not appropriate to come to the door of the tent of meeting—they are not liable on its account.
- **14:2** A (1) The animal which had sexual relations with a human, and (2) the animal with which a human had sexual relations, and (3) the animal set aside for idolatrous worship, and (4) the animal which had been worshipped, and (5) the animal used for the hire of a harlot, and (6) the animal used to pay for a dog, and (7) the crossbred animal, and (8) the animal which turns out to be *terefah*, *and* (9) the animal which went forth from the side [M. 8:1],
  - B which one offered outside—
  - C he is free,
  - D as it is said, Before the altar of the Lord (Lev. 17:4)—
  - E Whatever is not appropriate [to come] before the altar of the Lord—they are not liable on its account.
  - F Blemished animals, whether permanently blemished or temporarily blemished, which one offered outside—
  - G he is free.
  - H R. Simeon says, "Permanently blemished animals [which one offered outside]—he is free.
  - I "But temporarily blemished animals [which one offered outside]—they transgress a negative commandment [Dt. 12:8, 13]."

- J Turtledoves whose time had not yet come and young pigeons whose time had passed, which one offered outside—
- K he is free.
- L R. Simeon says, "Pigeons whose time had passed [which he offered up outside]—he is free.
- M "Turtledoves whose time had not yet come [which he offered up out side]—[they transgress] a negative commandment."
- N (1) It and its offspring [Lev. 22:28: And whether the mother is a cow or a ewe, you shall not kill both her and her young in one day], and that (2) [within seven days of birth, Ex. 22:29] whose time [to be offered] had not yet come [which one offered outside]—
- O he is free.
- P R. Simeon says, "Lo, this one has transgressed a negative commandment."
- Q For R. Simeon did say, "Whatever is appropriate to come at a later time, lo, this one has transgressed a negative commandment, but extirpation does not apply to it."
- R And sages say, "Whatever is not subject to extirpation is not subject to a negative commandment."
- **14:3** A *[An animal] whose time had not yet come* [M. 14:2N2]— whether in itself or in respect to its owner.
  - B What is an offering whose time had not yet come in respect to its owner?
  - C The *Zab*, and the *Zabah*, and the woman who has given birth, and the *mesora*, who [during their time of counting clean days] offered their sin offering and [solely in the case of the *mesora*] their guilt offering outside are free [since the offerings serve neither to fulfill an obligation nor to be counted as a thank offering].
  - D [If they offered] their burnt offerings and [in the case of the Nazirite] their peace offering outside, they are liable.
  - E He who offers up (1) part of the flesh of a sin offering, (2) part of the flesh of a guilt offering, (3) part of the flesh of Most Holy Things, (4) part of the flesh of Lesser Holy Things, (5) the residue of the *omer*, and the two breads, and the shewbread, and (6) the residue of meal offerings [all of which are eaten by the priests, not offered on the altar]—
  - F he who (1) pours out [oil over the meal offering], he who (2) mixes [meal with the oil], he who (3) breaks [meal offering cakes] into pieces, he who (4) salts [meal offering], he who (5) waves [it], he who (6) brings it near [opposite the southwest corner of the altar], he who (7) arranges [the bread on table], he who (8) trims the lamps, he who (9) takes the handful, he who (10) receives the blood [none of which actions completes the sacrificial rite]—
  - G outside—
  - H is free.
  - I They are not liable on its account either (1) because of being alien [not being priest], or (2) because of uncleanness, or (3) because of lacking the proper vestments, or (4) because of having unwashed hands and feet.
- **14:4** I A Before the tabernacle was set up, (1) the high places were permitted, and (2) [the sacrificial] service [was done by] the first born [Num. 3:12–13, 8:16–18].
  - B When the tabernacle was set up, (1) the high places were prohibited, and (2) the [sacrificial] service [was done by] priests.
  - C Most Holy Things were eaten within the veils, Lesser Holy Things [were eaten] throughout the camp of Israel.

14:5	Π	A B C	They came to Gilgal. The high places were permitted. Most Holy Things were eaten within the veils, Lesser Holy Things, anywhere.		
14:6	III	A B C D	They came to Shiloh. The high places were prohibited. (1) There was no roofbeam there, but below was a house of stone, and hangings above it, and (2) it was 'the resting place' [Dt. 12:9]. Most Holy Things were eaten within the veils, Lesser Holy Things and second tithe [were eaten] in any place within sight [of Shiloh].		
14:7	IV	A B C	They came to Nob and Gibeon. The high places were permitted. Most Holy Things were eaten within the veils, Lesser Holy Things, in all the towns of Israel.		
14:8	V	A B C D E	They came to Jerusalem. The high places were prohibited. And they never again were permitted. And it was 'the inheritance' [Dt. 12:9]. Most Holy Things were eaten within the veils, Lesser Holy Things and second tithe within the wall.		
14:9	А	All the Holy Things which one sanctified at the time of the prohibition of the high places and offered at the time of the prohibition of high places outside—			
	В	lo, these are subject to the transgression of a positive commandment and a negative commandment, and they are liable on their account to extirpation [for sacrificing outside the designated place, Lev. 17:8–9, M. 13:1A].			
	С		e sanctified them at the time of the permission of high places and offered them up at ne of the prohibition of high places,		
	D	lo, the comm	se are subject to transgression of a positive commandment and to a negative andment, but they are not liable on their account to extirpation [since if the offerings een sacrificed when they were sanctified, there should have been no violation].		

- E [If] one sanctified them at the time of the prohibition of high places and offered them up at the time of the permission of high places,
- F lo, these are subject to transgression of a positive commandment, but they are not subject to a negative commandment at all.
- **14:10** A These are the Holy Things offered in the tabernacle [of Gilgal, Nob, and Gibeon]:
  - B Holy Things which were sanctified for the tabernacle.
  - C Offerings of the congregation are offered in the tabernacle.
  - D Offerings of the individual [are offered] on a high place.
  - E Offerings of the individual which were sanctified for the tabernacle are to be offered in the tabernacle.
  - F And if one offered them up on a high place, he is free.
  - G What is the difference between the high place of an individual and the high place of the community?

- H (1) Laying on of hands, and (2) slaughtering at the north [of the altar], and (3) placing [of the blood] round about [the altar], and (4) waving, and (5) bringing near.
- I R. Judah says, "There is no meal offering on a high place [but there is in the tabernacle]"—
- J and (1) the priestly service, and (2) the wearing of garments of ministry, and (3) the use of utensils of ministry, and (4) the sweet-smelling savor and (5) the dividing line for the [tossing of various kinds of] blood, and (6) the rule concerning the washing of hands and feet.
- K But the matters of time, and remnant, and uncleanness are applicable both here and there [by contrast to M. 14:3F-I].

## MENAHOT

- **1:1** A All meal offerings from which the handful was taken not for their own name are valid [for offering up, and, in the case of the residue, for the priests' eating].
  - B But they have not gone to their owner's credit in fulfillment of an obligation,
  - C except for the meal offering of a sinner and the meal offering of jealousy [of a suspected adulteress] [which, if improperly designated, are invalid].
  - D The meal offering of a sinner and the meal offering of a suspected adulteress (1) from which the handful was taken not for their own name, (2) [or which] one put into a utensil, and (3) conveyed and (4) offered up not for its own name,
  - E or for its own name and not for its own name,
  - F or not for its own name and for its own name,
  - G are invalid.
  - H How so [in a case of doing one of the aforelisted actions] is it for its own name and not for its own name?
  - I [If one did one action] (1) for the sake of the meal offering of a sinner and (2) [another action] for the sake of a freewill meal offering.
  - J Or [how do we define a case of doing one of the aforelisted actions] not for its own name and for its own name?
  - K For the sake of (2) a freewill meal offering and for the sake of (1) the meal offering of a sinner.
- **1:2** A All the same are the meal offering of a sinner and of all [other sorts of] meal offerings, the handful of which was taken by (1) a non-priest, (2) a priest mourning his next of kin, (3) a priest who is a *tebul-yom*, (4) a priest lacking proper priestly vestments, (5) a priest whose rites of atonement had not yet been completed, (6) a priest whose hands and feet had not been washed, (7) an uncircumcised priest, (8) an unclean priest, (9) a priest who was seated, (10) a priest who was standing on utensils, on a beast, on the feet of his fellow
  - B he has rendered [it] invalid.
  - C [If] he took the handful with his left hand, he has rendered [it] invalid.
  - D Ben Beterah says, "Let him put it back, and go and take up a handful in his right hand."
  - E [If] he took a handful and there came up in his hand a pebble or a grain of salt or a grain of frankincense, it [the pebble, etc.] has rendered [it] invalid.
  - F For they have said, "The handful which is too much or which is too little is invalid."
  - G What is a case of a [handful] which is too much?
  - H [A case in which] one took an overflowing handful.
  - I And one which is too little?

- J [A case in which] one took up a handful with his fingertips.
- K What does one do?
- L He stretches out his fingertips over the palm of his hand.
- **1:3** A [If] he put in too much oil [M. 9:3] or put in too little oil or put in too little frankincense [M. 13:3], it is invalid.
  - B He who takes up the handful of meal offering [with the improper intention] to eat its residue outside,
  - C or an olive's bulk of its residue outside,
  - D to burn a handful thereof outside,
  - E or an olive's bulk of a handful thereof outside,
  - F or to burn its frankincense outside—
  - G it is invalid. But extirpation does not apply to it.
  - H [If he takes up the handful of meal offering with the improper intention] to eat its residue on the next day,
  - I or an olive's bulk of its residue on the next day,
  - J to burn a handful thereof on the next day,
  - K or an olive's bulk of a handful thereof on the next day,
  - L or to burn its frankincense on the next day,
  - M it is refuse. And they are liable to extirpation on its account.
  - N This is the general principle:
  - O [In] every [case in which] one (1) takes the handful of meal offering, or (2) puts it into a utensil, or (3) conveys it, or (4) offers it up, [with the improper intention] to eat something which is usually eaten [the residue] or to offer up something which is usually offered up [the meal offering]—
  - P outside of its proper place,
  - Q it is invalid. But extirpation does not apply to it.
  - R [If one does so with the improper intention to eat the residue or to offer up the meal offering] outside of its proper time, it is refuse. And they are liable on its account to extirpation.
  - S [And the foregoing rule applies] on condition that that which renders the offering permissible is offered in accord with its requirement.
  - T How is that which renders the offering permissible offered in accord with its requirement?
  - U [If] one took the handful in silence [without improper intention] and put it into the utensil and conveyed and offered it up [with the improper intention to do so] outside of its proper time,
  - V or [if] one took the handful of meal offering [with the improper intention of eating that which is eaten or offering up that which is offered up] outside of its proper time, and [then] put it into a utensil and conveyed and offered it up in silence [without improper intention],
  - W or [if] one took the handful and put it into a utensil and conveyed and offered it up [with the improper intention to eat that which is eaten or to burn that which is burned] outside of its proper time [only]—
  - X this is a case in which that which renders the offering permissible is offered up in accord with its requirement.
- **1:4** A How is that which renders the offering permissible not offered in accord with its requirement?
  - B [If] one took the handful [with the improper intention of eating that which is eaten or burning that which is burned] outside of its proper place, and [then] put it into a utensil and

conveyed and offered it up [with the improper intention of eating that which is eaten or burning that which is burned] outside of its proper time,

- C or [if] one took the handful [with the improper intention of eating or burning] outside of its proper time, and [then] put it into a utensil and conveyed and offered it up [with the improper intention of eating or burning] outside of its proper place,
- D or [if] one took the handful and put it into a utensil and conveyed and offered it up [with the improper intention of eating or burning] outside of its proper place [in addition to time]—
- E [and likewise] the meal offering of a sinner and the meal offering of a suspected adulteress of which one took the handful not for their own name, and put into the utensil and conveyed and offered up [with the improper intention of eating or burning] outside of their proper time,
- F or [If] one took the handful [with improper intention to eat or burn] outside of their proper time, and [then] placed [it] into the utensil and conveyed and offered it up not for their own name,
- G or [if] one took the handful and put it into a utensil and conveyed and offered it up not for their own name [at all]—
- H this is a case in which that which renders the offering permissible has not been offered up in accord with its requirement.
- I [If one did so] to eat an olive's bulk outside and an olive's bulk on the next day,
- J an olive's bulk on the next day and an olive's bulk outside,
- K a half-olive's bulk outside and a half-olive's bulk on the next day,
- L a half-olive's bulk on the next day and a half-olive's bulk outside—
- M it is invalid. But extirpation does not apply to it.
- N Said R. Judah, "This is the general rule: If the improper intention concerning time came before the improper intention concerning place, it is refuse. And they are liable on its account to extirpation. But if the improper intention concerning place came before the improper intention concerning time, it is invalid. But extirpation does not apply to it."
- O And sages say, "Both this and that are invalid. But extirpation does not apply to it."
- P [If one took up the handful with the improper intention] to eat a half-olive's bulk and to offer up a half-olive's bulk [at the wrong time or in the wrong place], it is invalid.
- Q For [improper intention concerning] eating and [improper intention concerning] offering up do not join together.
- **2:1** A He who takes the handful of meal offering [with the improper intention] to eat its residue or to burn its handful on the next day—
  - B R. Yose agrees in this case that it [the sacrifice] is refuse and they who eat it are liable on its account to extirpation [= M. 1:3].
  - C [If he does so with the improper intention] to burn its frankincense on the next day,
  - D R. Yose says, "It [the sacrifice] is invalid. And extirpation does not apply to it."
  - E And sages say, "It is refuse. And they are liable on its account to extirpation."
  - F They said to him, "What is the difference between this case [of the meal offerings and frankincense] and the animal sacrifice?"
  - G He said to them, "The animal sacrifice—its blood and its flesh and its sacrificial parts are [of] one [genre].
  - H "But the frankincense is not from the meal offering [which is flour]."
- **2:2** A [If] he slaughtered two lambs [Lev. 23:19, which are the peace offering at Shabuot], [with the improper intention] to eat one of the loaves on the next day [after the festival],

- B [if] he burned the two dishes [of frankincense, with the improper intention] to eat one of the rows [of shewbread] on the next day—
- C R. Yose says, "That particular loaf or that particular row to which he gave thought [improperly to eat on the next day] is refuse. And they are liable on its account to extirpation.
- D "But the second [loaf of bread or row] is invalid. And extirpation does not apply to it."
- E And sages say, "Both this and that are refuse, and they are liable on its account to extirpation."
- F [If] [before the tossing of the blood or burning of the incense (B. Men. 14b)] one of the loaves or one of the rows was made unclean,
- G R. Judah says, "Both of them go out to the place of burning.
- H "For the offering of the congregation is not divided."
- I And sages say, "The unclean [remains] in its uncleanness, but the clean one may be eaten."
- **2:3** I A The thank offering makes the bread [brought along with the thank offering, Lev. 7:13, M. 7:1] refuse, but the bread does not make the thank offering refuse.
  - B How so?
  - C He who slaughters the thank offering [with the improper intention] to eat of it on the next day—
  - D it and the bread are made refuse.
  - E [If he does so with the improper intention] to eat of the bread on the next day,
  - F the bread is made refuse, but the thank offering is not made refuse.
  - II G The lambs make the bread [Lev. 23:19, 20, M. 2:2] refuse, but the bread does not make the lambs refuse.
    - H How so?
    - I He who slaughters the lambs [with the improper intention] to eat of them on the next day—
    - J they and the bread are made refuse.
    - K [If he does so with the improper intention] to eat of the bread on the next day,
    - L the bread is made refuse, but the lambs are not made refuse.
- **2:4** III A The animal sacrifice makes the drink offerings refuse,
  - B ("once they have been sanctified in a utensil," the words of R. Meir.)
  - C but the drink offerings do not make the animal sacrifice refuse.
  - D How so?
  - E He who slaughters the animal sacrifice [with the improper intention] to eat of it on the next day—
  - F it and its drink offerings are made refuse.
  - G [If he does so with the improper intention] to offer up part of the drink offerings on the next day,
  - H the drink offerings are made refuse, but the animal sacrifice is not made refuse.
- **2:5** A [If one formed an improper intention, such that he has] (1) made refuse the handful [of meal for the meal offering] but not the frankincense,
  - (2) the frankincense but not the handful—
  - B R. Meir says, "It is refuse, and they are liable on its account to extirpation."
  - C And sages say, "Extirpation does not apply to it, until [through improper intention to eat or offer up the whole outside the proper time] he will render refuse the whole of that which renders the offering permissible."

- D And sages concur with R. Meir in the case of the meal offering of a sinner and the meal offering of a woman accused of adultery [neither of which is accompanied by incense], that if one has imparted the status of refuse to the handful [of the meal offering], it is refuse, and they are liable to extirpation on its account.
- E For it is [solely] the handful [of meal offering] which renders the offering permissible.
- F [If] one slaughtered one of the lambs [with the improper intention] to eat the two loaves on the next day,
- G [or if he] burned one of the two dishes [of frankincense, with the improper intention] to eat both rows on the next day—
- H R. Meir says, "It is refuse, and they are liable on its account to extirpation."
- I And sages say, "It is not refuse until one will impart the status of refuse to the whole of that which renders the sacrifice permissible."
- J [If] he slaughtered one of the lambs [with the improper intention] to eat of it on the next day,
- K it is refuse, but its fellow is valid.
- L [If he slaughtered one lamb intending] to eat its fellow on the next day, both are valid.
- **3:1** A He who takes the handful of meal offering [with the improper intention] to eat something [e. g., the handful, the frankincense] which is not usually eaten,
  - B to offer up something [e. g., the residue] which is not usually offered up—
  - C it is valid.
  - D R. Eliezer declares [the offering] invalid.
  - E [If one does so with the improper intention] to eat something which is usually eaten, to offer up something which is usually offered up,
  - F [in a volume] less than an olive's bulk—it is valid.
  - G [If he does so with the improper intention] to eat a half-olive's bulk and to offer up a half-olive's bulk—
  - H it is valid.
  - I For eating and offering up do not join together.
- 3:2

Ι

- A [If] one (1) did not pour [oil over the fine flour], (2) did not mingle [the oil with unleavened cakes], (3) did not break up [the meal offering prepared in a baking pan], (4) did not salt it, (5) did not wave it [if such is required, as in the case of the meal offering of the *omer* and of the woman accused of adultery], (6) did not bring it near [M. 5:5–6]—
  - B or [if] he broke it up into many pieces [larger or smaller (B. Men. 18b) than an olive's bulk (M. 6:4)] or did not anoint it [with oil after baking (M. 6:3)]
  - C [the meal offerings so prepared] are valid.
  - D [If] its handful [of meal offering] was mixed with the handful of its fellow [meal offering]—
    - E (1) with the meal offering of priests, (2) with the meal offering of the anointed priest, (3) with the meal offerings brought with drink offerings [M. 6:2]—
    - F it is valid.
    - G R. Judah says, "In the case of [mixture with] the meal offering of the anointed priest [E2] or with the meal offering brought with drink offerings [E3], it is invalid.
    - H "For in the case of one, its mixture is thick [M. 3:3], and in the case of the others, its mixture is thin [M. 9:4], and each absorbs from the other [so E2 and E3 are diluted], "[One handful will have absorbed too much oil, the other has been diluted and now has too little oil.]

- **3:3** II A Two meal offerings from which the handful had not been taken and which [having fallen into a single utensil] were mixed up together—
  - B if one can take the handful from this one by itself and from that one by itself,
  - C [both] are valid.

III

- D And if not, they are invalid.
- E The handful [taken from a meal offering] which was mixed up with a meal offering from which the handful had not been taken—
  - F he should not offer it [the mixture] up.
  - G And if he offered it up, this one from which the handful had been taken goes to the credit of its owner.

And this one from which the handful had not been taken does not go to the credit of its owner.

- IV H [If] its handful was mixed up with its residue, or with the residue of its fellow, he should not offer it up.
  - I But if he offered it up, it goes to the credit of the owner.
  - J [If] the handful was made unclean and one [nonetheless] offered it up, the priest's frontlet effects acceptance.
  - K [If] it went forth [beyond the veils] and one offered it up, the priest's frontlet does not effect acceptance.
  - L For the priest's frontlet effects acceptance for that which is unclean, but it does not effect acceptance for that which goes forth beyond the veils [M. Zeb. 8:12].
- **3:4** A [If before the handful was offered up] its residue was made unclean, [if] its residue was burned, [if] its residue was lost,
  - B in accord with the reasoning of R. Eliezer, it is valid, and in accord with the reasoning of R. Joshua, it is invalid.
  - C [If] it was not in a utensil of service, it is invalid.
  - D R. Simeon declares valid.
  - E [If] one offered up its handful two times [that is, by halves], it is valid.
- **3:5** A (1) The handful [of meal offering]:
  - B the smaller part of it impairs the validity of the greater part of it [= M. 1:2].
  - C (2) The tenth [of the *ephah*
  - D the smaller part of it impairs the validity of the greater part of it.
  - E (3) Wine:
  - F the smaller part of it impairs the validity of the greater part of it [Num. 15:5; 7:10].
  - G (4) Oil:
  - H the smaller part of it impairs the validity of the greater part of it.
  - I (1) Flour and oil impair the validity of one another.
  - J (2) The handful of meal offering and frankincense impair the validity of one another.
- **3:6** A (3) The two goats of Yom Kippur impair the validity of one another.
  - B (4) The two lambs of Aseret [Shabuot] impair the validity of one another.
    - C (5) The two loaves of bread impair the validity of one another.
    - D (6) The two rows [of shewbread] impair the validity of one another.
    - E (7) The two dishes [of frankincense] impair the validity of one another.
    - F (8) The rows [of shewbread] and the dishes [of incense] impair the validity of one another.
    - G (1) The two kinds [of cakes] which pertain to [the offering of] the Nazirite,
    - H (2) the three [kinds used for] the red cow,

- I (3) the four [kinds used in connection with] the thank offering,
- J (4) the four [kinds] which are in the *lulab* [Lev. 23:40],
- K (5) the four kinds used for the *mesora*
- L impair the validity of one another.
- M The seven sprinklings of blood of the red cow impair the validity of one another.
- N (1) The seven sprinklings of blood between the bars [on the Day of Atonement], and (2) those which are on the veil [of the Holy of Holies], and (3) those which are on the golden altar impair the validity of one another [M. Zeb. 5:1].
- **3:7** A (1) The seven branches of the candlestick [Ex. 25:31–32] impair the validity
  - B And its seven lamps impair the validity of one another.
  - C (2) The two portions [of Scripture] in the *mezuzah* [Dt. 6:4–9, 11, 13–21] impair the validity of one another,
  - D and even [the shape of] one letter impairs their validity.
  - E (3) The four portions [of Scripture] which are in *tefillin* [Dt. 6:4–9, 11:13–21, Ex. 13:1–10, 11–16] impair the validity of one another,
  - F and even [the shape of] one letter impairs their validity.
  - G The four fringes impair the validity of one another,
  - H for the four of them constitute a single commandment.
  - I R. Ishmael says, "The four of them constitute four distinct commandments [so they do not impair the validity of one another]."
- **4:1** A The blue [in the fringes, Num. 15:38, M. 3:7] does not impair the validity of the white, and the white does not impair the validity of the blue.
  - B (2) The *tefillah* for the hand does not impair the validity of that for the head, and that for the head does not impair the validity of that for the hand.
  - C (3) The flour and the oil [which accompany drink offerings] do not impair the validity of the wine, and the wine does not impair their validity.
  - D (4) The sprinklings [of blood] which are to be placed on the outer altar [M. Zeb. 5:3–7] do not impair the validity of one another [M. Zeb. 4:1, M. Men. 3:6].
- **4:2** A (5) The bullocks and the rams and the he-lambs [seven lambs, one bullock, and two rams offered with the two loaves on Shabuot and two bullocks, a ram, and seven lambs for the additional offering of Shabuot, Lev. 23:18, Num. 28:11ff.] do not impair the validity of one another.
  - B R. Simeon says, "If they had [funds for] many bullocks but did not have [funds for] drink offerings [sufficient for all of them], let them bring a single bullock and its drink offerings.
  - C "But let them not offer up all of them without their [meal and] drink offerings."
- **4:3** A The bullock and the rams and the he-lambs and the he-goat [of Shabuot] do not impair the validity of the bread.
  - B Nor does the bread impair their validity.
  - C "The bread impairs the validity of the lambs, but the lambs do not impair the validity of the bread," the words of R. Aqiba.
  - D Said Simeon b. Nannos, "That is not so. But the lambs impair the validity of the bread, and the bread does not impair the validity of the lambs [= M. 2:3].

- E "For so do we find that, when the Israelites were in the wilderness, for forty years they offered up lambs without bread [since they had only manna].
- F "Likewise here, let them offer up lambs without bread."
- G Said R. Simeon, "The law is in accord with the opinion of Ben Nannos.
- H "But the reason [therefore] is not in accord with his opinion.
- I "For every [offering, Num. 28:27ff.] stated in the Pentateuchal Book of Numbers was offered in the wilderness.
- J "But every [offering] stated in the Pentateuchal Book of Leviticus was not offered in the wilderness [inclusive of that under discussion, Lev. 23:18–19].
- K "When they came to the Land, these and those both were offered.
- L "And on what account do I rule, 'Let the lambs be offered without bread'?
- M "For the lambs [once the blood is sprinkled on the altar] render their own offering permissible without bread. [But as to] bread without lambs, it has nothing which renders it permissible [for priestly use (M. 2:5)]."
- **4:4** A (1) The continual offerings [daily whole offerings] do not impair the validity of the additional offerings, and (2) the additional offerings do not impair the validity of the continual offerings, and (3) the additional offerings do not impair the validity of one another.
  - B [If] they did not offer a lamb in the morning, let them offer it at twilight.
  - C Said R. Simeon, "Under what circumstances? When they were subject to constraint or in error.
  - D "But if they deliberately did not offer a lamb in the morning, they should not offer it at twilight."
  - E [If] they did not burn the incense in the morning, they should burn it at twilight.
  - F Said R. Simeon, "But all of it [the incense offering] is offered at twilight."
  - G For they dedicated (1) the golden altar only with incense of sweet spices that are offered in the afternoon,
  - H and (2) the altar of the burnt offering only by the continual offering in the morning,
  - I and (3) the table only by the shewbread on the Sabbath,
  - J and (4) the candlestick only by the seven lamps in the afternoon.
- **4:5** A The griddle cakes of the high priest were not offered in half [tenths of an *ephah* at a time].
  - B But one brings a whole tenth and divides it,
  - C and offers half in the morning and half at twilight.
  - D And a priest who offered half in the morning and died,
  - E and in whose place [on that same day] they appointed another priest—
  - F [the latter] should not bring [at twilight] a half-tenth [of an *ephah*] from his own property, nor half of the tenth of the first priest.
  - G But he brings a whole tenth and divides it and offers half. And the other half is left to perish.
  - H It turns out that two halves are offered, and two halves are left to perish.
  - I [If] they did not appoint another priest [in place of the one who died (D)] of whose [property] was it [A] offered [G]?
  - J R. Simeon says, "Of the community."
  - K R. Judah says, "Of the heirs [of the deceased]."
  - L And the whole [tenth] was offered.
- **5:1** A All meal offerings are brought unleavened [Lev. 2:4–5, 6:7–9],

- B except for the leaven[ed cakes] in the thank offerings [M. 7:1] and the two loaves of bread [of Shabuot],
  - which are brought leavened [Lev. 7:13, 23:17].
- C R. Meir says, "The leaven is set aside for them from their own [contents], and it leavens them."
- D R. Judah says, "Also: that is not of the best way.
- E "But one brings the leaven and puts it into the measure and [then] fills the measure [with meal]."
- F They said to him, "Also: it would be either too little or too much."
- **5:2** A All meal offerings [which must be unleavened] are kneaded in lukewarm water.
  - B And one watches them, that they not become leavened.
    - C And if the residue became leavened, one transgresses a negative commandment.
    - D As it is said [in proof of B], *No meal offering which you shall offer to the Lord shall be made with leaven* (Lev. 2:11).
    - E And they are liable [on account of leavening] in connection with (1) kneading it, (2) rolling it, and (3) baking it.
- **5:3** A There are [meal offerings which] require oil and frankincense, oil but not frankincense, frankincense but not oil, neither oil nor frankincense.
  - B And these are they which require oil and frankincense:
    (1) the meal offering of fine flour [Lev. 2:1, 6:8], and (2) the meal offering prepared in the baking pan [Lev. 2:5], and (3) the meal offering prepared in the frying pan [Lev. 2:7], and (4) the meal offering of the cakes, and (5) of the wafers [Lev. 2:4], (6) the meal offering of the priests, and (7) the meal offering of the anointed priest [Lev. 6:20ff.], (8) the meal offering of gentiles, and (9) the meal offering of women, and (10) the meal offering of the *omer* (Lev. 2:14–15, 23:9–14).
  - C The meal offering which is brought with drink offerings requires oil but does not require frankincense [Num. 15:4ff.].
  - D The shewbread requires frankincense but does not require oil [Lev. 24:7].
  - E The two loaves, the meal offering of a sinner, and the meal offering of the woman accused of adultery [require] neither oil nor frankincense [Lev. 5:11, Num. 5:15].
- **5:4** A And one is liable [for putting on a meal offering which does not require them] on account of the oil by itself and on account of the frankincense by itself.
  - B [If] one put oil on it, he has invalidated it.
  - C [If he put] frankincense on it, he should gather it up.
  - D [If] he put oil on its residue, he does not violate a negative commandment.
  - E [If] he put a utensil above a utensil [one containing oil or frankincense, the other containing the meal offering], he has not rendered it invalid.
- **5:5** A There are those [offerings] which require bringing near but do not require waving, waving but not bringing near, waving and bringing near, neither waving nor bringing near.
  - B These [are offerings] which require waving but do not require bringing near:
  - C (1) the meal offering of fine flour, and (2) the meal offering prepared in the baking pan, and (3) the meal offering prepared in the frying pan [Lev. 2:8], and (4) the meal offering of cakes, and (5) the meal offering of wafers, and (6) the meal offering of priests, and (7) the

meal offering of an anointed priest, and (8) the meal offering of gentiles, and (9) the meal offering of women, and (10) the meal offering of a sinner.

- D R. Simeon says, "The meal offering of priests, the meal offering of an anointed priest bringing near does not apply to them, because the taking of a handful does not apply to them.
- E "And whatever is not subject to the taking of a handful is not subject to bringing near."
- **5:6** A These [are offerings which] require waving and do not require bringing near:
  - B (1) the *log* of oil of the *mesora* and (2) his guilt offering [Lev. 14:12] and (3) firstfruits this is in accord with the opinion of R. Eliezer b. Jacob [M. Bik. 2:4, 3:6]— and (4) the sacrificial parts of the peace offerings of an individual, and(5) their breast and thigh [Lev. 10:15]—
    - C both those of Israelite men and women but not those of others—
    - D and the (6) two loaves of bread, and the two lambs of Aseret [Shabuot].
    - E How does one carry out the rite?
    - F One puts the two loaves of bread on top of the two lambs and places his two hands below and swings them forward and backward and upward and downward,
    - G as it is written, *Which is waved and which is raised up* [Ex. 29:27].
    - H The waving was at the east [of the altar], and the bringing near of the west [at the southwestern corner].
  - I And the wavings come before the bringings near.
  - J The meal offering of the *omer* [on the sixteenth of Nisan, Lev. 23:11], and the meal offering of the woman accused of adultery [Num. 5:25] require [both] waving and bringing near.
  - K The shewbread and the meal offering brought with drink offerings [require] neither waving nor bringing near.
- **5:7** A R. Simeon says, "Three kinds [of offering] require three rites, two [apply] to each of them, but [all] three apply to none of them.
  - B "And these are they:
  - C "The sacrifices of peace offerings of an individual, and the sacrifices of peace offerings of the community, and the guilt offering of the *mesora*.
  - D "The sacrifices of peace offerings of an individual [M. 5:6G4–5] require (1) laying on of hands while the animal is yet alive [Lev. 3:2], and (2) waving of the slaughtered animals, but (3) waving does not apply to them while they are alive [Lev. 10:15].
  - E "The sacrifices of peace offerings of the community [the lambs of Shabuot, M. 5:6I] require (1) waving while they are alive and (2) when they are slaughtered, but (3) the laying on of hands does not apply to them [Lev. 23:20].
  - F "The guilt offering of the *mesora* requires (1) laying on of hands and (2) waving while it is alive [Lev. 14:12–13], but (3) waving does not apply to it when it has been slaughtered."
- **5:8** I A He who says, "Lo, I pledge myself to a meal offering baked in a baking pan," should not bring one prepared in a frying pan.
  - B [If he says, "Lo, I pledge myself to] a meal offering prepared in a frying pan." he should not bring one prepared in a baking pan.
  - C And what is the difference between a baking pan and a frying pan?
  - D But: "The frying pan has a cover, and the baking pan has no cover," the words of R. Yose the Galilean.

- E R. Hananiah b. Gamaliel says, "A frying pan is deep, and what is cooked in it is spongy, and a baking pan is flat, and what is cooked in it is hard."
- **5:9** II A He who says, "Lo, I pledge myself [to bring] a meal offering baked in the oven," should not bring one baked in a stove, or one baked on hot tiles, or one baked in the cauldrons of Arabs [M. Kel. 5:10].
  - B R. Judah says, "If he wanted, he may bring one baked in a stove [which is a kind of oven]."
  - III C [He who says,] "Lo, I pledge myself [to bring] a meal offering which is baked, "should not bring one which is half in cakes and half in wafers [i.e., he should bring ten of one kind or the other, not five of each].
    - D R. Simeon permits, because it is one kind of offering.
- **6:1** A These are meal offerings [from which] the handful is taken, and the residue of which belongs to the priests [Lev. 6:7–9]:
  - B (1) the meal offering of fine flour [Lev. 2:2], and (2) [the meal offering prepared in] a baking pan [Lev. 2:9, 6:8], and (3) [the meal offering prepared in] a frying pan, and (4) the loaves, and (5) the wafers [Lev. 2:9–10], and (6) the meal offering of gentiles, and (7) the meal offering of women, and (8) the meal offering of the *omer* [Lev. 2:16], and (9) the meal offering of a sinner [Lev. 5:12], and (10) the meal offering of a woman accused of adultery [Num. 5:26].
  - C R. Simeon says, "[From] the meal offering of a priest who was a sinner [Lev. 6:16], the handful is taken [even though the whole of it in any case is offered on the altar], and the handful is offered by itself, and the residue [thereof] is offered by itself."
- **6:2** A The meal offering of priests [Lev. 6:15–16] and the meal offering of an anointed priest and the meal offering brought with drink offerings [Num. 23:20, 24:9] [belong] to the altar [without the removal of the handful].
  - B And the priests have no [portion] in them.
  - C In this regard the right of the altar is greater than the right of the priests.
  - D The two loaves of bread [Lev. 23:20, 24:9] and the shewbread belong to the priests.
  - E And the altar has no [portion] in them.
  - F And in this regard the right of the priests is greater than the right of the altar.
- **6:3** A All meal offerings which are prepared in a utensil [a baking pan or a frying pan] require three applications of oil:
  - B (1) pouring [oil into the utensil], (2) stirring [the meal into the oil], and [then again], (3) putting oil into the utensil prior to their preparation.
  - C "And as to the loaves [baked in an oven], one stirs them [with oil]." the words of Rabbi.
  - D And sages say, "The fine flour [alone is used for preparing them but no oil]."
  - E The loaves require stirring.
  - F The wafers are anointed.
  - G How does one anoint them?
  - H In the form of a *chi* [that is, in the form of a cross].
  - I And the remainder of the oil is eaten by the priests.
- **6:4** A All meal offerings which are prepared in a utensil require breaking up [for the taking of the handful].

- I B [As to] the meal offering of an Israelite: one folds it one into two, then two into four [parts], and divides it [at each fold].
- II C [As to] the meal offering of priests: one folds it one into two, then two into four [parts] but does not divide it.
- III D [As to] the meal offering of the anointed priest: one did not fold it up.
  - E R. Simeon says, "The meal offering of priests and the meal offering of an anointed priest are not subject to [the requirement of] breaking up.
    - F "For they are not subject to the taking of a handful.
    - G "And anything which is not subject to the taking of a handful is not subject to breaking up."
    - H And all of them olive's bulks.
- **6:5** A All meal offerings [the flour used therefore] require three hundred [acts of] rubbing [to remove dirt] and five hundred [acts of] beating [to remove husks].
  - B And rubbing and beating [apply to grains of] wheat.
  - C R. Yose says, "Also: [to the] dough."
  - D "All meal offerings [of loaves or wafers] are brought ten at a time,
  - E "except for shewbread [Lev. 24:5: twelve] and the baked cakes of a high priest [Lev. 6:13–15], which are brought twelve at a time," the words of R. Judah.
  - F R. Meir says, "All of them are brought twelve at a time,
  - G "except for the loaves of the thank offering [M. 7:1] and of the Nazirite [M. 7:2], which are brought ten at a time."
- **6:6** A The [meal offering of] *the omer* was offered of a tenth [of an *ephah of* flour] taken from three *seahs*.
  - B The two loaves of bread [come from] two tenths taken from three *seahs* [Lev. 23:17].
  - C The shewbread comes from twenty-four tenths taken from twenty-four *seahs* [Lev. 24:5 twenty-four loaves, each of two tenths].
- **6:7** A The [meal offering of the] *omer* was sifted through thirteen sieves [each finer than the former].
  - B And the two loaves [Lev. 23:17] [were sifted through] twelve sieves.
  - C And the shewbread [was sifted through] eleven sieves.
  - D R. Simeon says, "There is no prescribed limit to the matter [of C].
  - E "But flour that was sifted as much as necessary did one bring,

F "as it is said, *And [in the case of shewbread] you will take fine flour and bake it* (Lev. 24:5)—that it should be sifted as much as necessary."

- **7:1** A The [flour for the loaves of the] thank offering was brought [from] five *seahs* by the Jerusalem measure, which are six by the wilderness measure [equivalent to]
  - B two *ephahs*—the *ephah* is three *seahs* [by the wilderness measure]—
  - C twenty tenths [of an *ephah*]:
  - D (1) ten [tenths of an *ephah*] for what was to be leavened, and (2) ten for what was to be unleavened.
  - E *Ten for what was to be leavened*—a tenth [of an *ephah*] for a loaf.
  - F And ten for what was to be unleavened—and in the unleavened part are three kinds: (1) loaves, (2) wafers, and (3) [oil]-soaked cake[s] [Lev. 7:12].

- G They turn out to be three and a third tenths [of an *ephah*] for each kind, three loaves for each tenth [of an *ephah*].
- H [And, if we go by A] in the Jerusalem measure were thirty *qabs* [six *qabs* one *seah*], (1) fifteen [*qabs*] for that which was unleavened, and (2) fifteen for that which was leavened.
- I *Fifteen for that which was unleavened:* a *qab* and a half per loaf.
- J *And fifteen for that which was leavened:* and in that which was unleavened were three kinds: loaves and wafers and soaked cake[s].
- K They turn out to be five *qabs* for each kind, two loaves per *qab*.
- **7:2** A For the [bread brought with] consecration [offering, Lev. 8:22–28] they brought [the offerings] like the unleavened [bread of the meal offering] which goes with the thank offering: (1) loaves and (2) wafers and (3) [oil-] soaked cakes.
  - B The [wafers of the] Nazirite's [meal offering] consisted of two-thirds of the unleavened [cakes] of the thank offering: [ten unleavened] loaves and [ten unleavened] wafers. But soaked cakes are not [brought along] with it.
  - C They [the Nazirite's offering] turn out to be ten Jerusalem *qabs* [five for unleavened loaves, five for unleavened wafers] which are six tenths [of an *ephah*]; and something left over [six and two-thirds tenths].
  - D And from all of them did one take one [loaf of each kind] out of ten as heave offering, as it is written, *And of it he shall offer one out of each offering as a heave offering to the Lord* (Lev. 7:14)—
  - E one—that he should not take a broken one;
  - F *out of each offering*—(1) that all the offerings should be equivalent [ten loaves for each kind of animal],
  - G and (2) that he should not take [two loaves] from one offering [and none at all] for its fellow [that is, one loaf of each kind],
  - H to the priest who tosses the blood of the peace offerings it shall belong (Lev. 7:14)—
  - I and the remainder [of the bread] is eaten by the owner.
- **7:3** I A He who slaughters the thank offering inside, [while] its bread offering is outside the wall—the bread is not sanctified.
  - II B [If] he slaughtered it before it formed a crust in the oven—
    - C even if all of them [the loaves] formed a crust except for one of them—
    - D the bread is not sanctified.
  - III E [If] he slaughtered it [intending to eat its flesh or to toss the blood or to offer up the sacrificial parts] outside of its proper time or outside of its proper place, the bread is sanctified [and is deemed refuse, M. 2:3].
  - IV F [If] he slaughtered it [the thank offering], and it turned out to be *terefah*, the bread is not sanctified [M. Zeb. 9:2–3].
  - V G [If] he slaughtered it and it turned out to be blemished—
    - H R. Eliezer says, "It [the bread] is sanctified."
    - I And sages say, "It is not sanctified."
      - [The blemished animal which goes up on the altar is not removed, so Aqiba, M. Zeb. 9:2–3. Eliezer is of the same view.]
  - VI J [If] he slaughtered it not for its own name,
    - K and so with the ram of consecration, and so the two lambs of Aseret which one slaughtered not for their own name—
      - L the bread is not sanctified.

- **7:4** A Drink offerings which were sanctified in a utensil, and the animal sacrifice [with which they were brought] turned out to be invalid—
  - B if there is there another animal sacrifice [requiring drink offerings], let them be offered with it.
  - C And if not, let them be invalidated by being kept overnight.
  - D (1) The offspring of a thank offering and (2) its substitute—
  - E and (3) he who sets aside his thank offering, and it was lost, and he separated another in its place [and thereafter the lost one was found]—
  - F they do not require bread,
  - G as it is said, And he shall offer up with the sacrifice of the thank offering (Lev. 7:12)—
  - H the [one which is offered as a] thank offering requires bread,
  - I but (1) its offspring, and (3) that which is brought in its place, and (2) its substitute do not require bread.
- **7:5** I A He who says, "Lo, I pledge myself [to bring] a thank offering" brings it and its bread from that which is unconsecrated [not purchased with second-tithe coins].
  - II B [He who says], "A thank offering from that which is unconsecrated, and its bread from tithe," brings its bread from that which is unconsecrated.
  - III C [He who says], "A thank offering from tithe and its bread from that which is unconsecrated," brings [the things just as he has specified].
  - IV D [He who says], "A thank offering—it and its bread from tithe." brings [the things just as he has specified].
    - E But [even in this case] he should not bring it from wheat which itself is second tithe but only [with wheat purchased by] coins [used for the redemption of] second tithe.
- **7:6** A How do we know that he who says, "Lo, I pledge myself [to bring] a thank offering," should bring it only from unconsecrated beasts?
  - B As it is said, And you will slaughter a Passover to the Lord, your God, of the flock or of the herd (Dt. 16:2)—
  - C And does not the Passover derive only from lambs or goats?
  - D If so, why is *flock or herd* said?
  - E But: it is to compare whatever derives from the flock or from the herd to the Passover.
  - F Just as the Passover, which is brought in fulfillment of an obligation, is brought only from unconsecrated beasts, so everything which is brought in fulfillment of an obligation is brought only from unconsecrated beasts.
  - G Therefore: He who says, "Lo, I pledge myself [to bring] a thank offering," "Lo, I pledge myself [to bring] peace offerings"—
  - H since they are brought in fulfillment of an obligation, should bring them only from unconsecrated [funds].
  - I And drink offerings under all circumstances [even at M. 7:5D-E] should derive only from unconsecrated [funds].
- 8:1 A All [meal] offerings of the community and of the individual derive (1) from [wheat grown] in the Land [of Israel] and from [wheat grown] abroad,
  - B (2) from fresh produce [wheat, grown in the present year] and from old [wheat, grown in the preceding year],
  - C except for the *omer* [Lev. 23:10] and two loaves of bread [Lev. 23:16, 17],
  - D which derive only from new [wheat, grown in the present year] and from [wheat grown in the] Land.

- E But all of them derive only from the choicest [produce] [Dt. 12:11].
- F And what is deemed to be the choicest [produce]?
- G Mikhmas [Ezra 2:27] and Zanuhah [Josh. 15:35, 56] are *alpha* as to fine flour.
  - H Second to them is Hapharayim [II Chron. 13:19, Josh. 19:19] in the valley.
  - I All lands were valid, but from here did they bring [the flour for the meal offering].
- **8:2** A They do not bring [wheat for flour for the meal offering] either from a manured field or from an irrigated field or from a tree-planted field.
  - B But if they brought [wheat from these areas], it is valid.
  - C How does one do it?

I

- D One broke up fresh ground in the first year, and in the second sows it seventy days before Passover,
- E and it produces abundant flour.
- F How does one examine it [the flour]?
- G The [Temple] treasurer sticks his hand into it [the flour].
- H [If] dust came up on it [his hand], it is invalid, until one will sift it [afresh].
- I And if it had become maggoty, it is invalid.
- **8:3** II A Teqoah [II Sam. 14:2] is *alpha* for olive oil.
  - B Abba Saul says, "Second to it is Reqeb in Transjordan."
  - C All lands were valid, but from here did they bring [oil].
  - D They do not bring [olives for olive oil] from a manured field or from an irrigated field or from a field among [the trees of which] seed was sown.
  - E And if one did bring [olives for the oil from such fields, the oil produced therefrom] is valid.
  - F They do not bring it from unripe olives.
  - G And if one did bring it [from such a source], it is invalid.
  - H They do not bring [oil produced] from dried olives which had been soaked in water, nor from pickled olives, nor from seethed olives.
  - I And if one did bring fit from such a source], it is invalid.
- **8:4** A There are three [ways of preparing] olives, and each one of them [produces] three [kinds of] oil.
  - B The first [way of preparing the] olive [is as follows]: (1) One gathers it from the top of the olive tree, and (2) crushes it, and (3) puts it into a basket
  - C R. Judah says, "Around the sides of the basket [oozing down to the bottom]"
  - D this is the first [kind of oil produced in the first of the three ways].
  - E One pressed them under the beam.
  - F R. Judah says, "Under stones"—
  - G this is the second [kind of oil produced by the first of the three ways].
  - H One went and ground and pressed [them].
  - I This is the third [kind of oil].
  - J The first [kind of oil] is used for the candelabrum, and the rest for meal offerings.
  - K The second [way of preparing] olives [is as follows]: (1) one gathers [the olives when they are] at the [level of the] top of the roof, and (2) presses [them], and (3) puts them into the basket—
  - L R. Judah says, "Around the sides of the basket"—
  - M this is the first [kind of oil produced in the second way].
  - N One pressed them under the beam—

- O R. Judah says, "Under stones"—
- P this is the second.
- Q One ground and pressed [them]—
- R this is the third.
- S The first [kind of oil] is used for the candelabrum, and the rest for meal offerings.
- T The third [way of preparing] olives [is as follows]: (1) [Since the olives are on the lowest branches, in the shade, and will not ripen on the tree], one packs them in the house, until they are fully ripe, and (2) brings them up and dries them on the top of the roof, and (3) crushes and puts them into a basket—
- U R. Judah says, "Around the sides of the basket"—
- V this is the first.
- W One pressed it under the beam—
- X R. Judah says, "Under stones"—
- Y this is the second.
- Z One went and ground and pressed [it]—
- AA this is the third.
- BB The first is for the candelabrum, and the rest for meal offerings.
- 8:5 A The first [kind of oil, deriving from] the first process— there is nothing better than it.
   B The second [kind of oil deriving from the] first [process] and the first [kind of oil deriving from the] second [process] are equivalent.
  - C The third [kind of oil produced by] the first [process] and the second [produced by the] second [process] and the first [produced by the] third process are equivalent.
  - D The third [kind of oil produced by the] second [process] and the second [kind of oil produced by the] third [process] are equivalent.
  - E The third kind of oil produced by the third process—there is nothing beneath it.
  - F Also: meal offerings might logically be deemed to require the purest kind of oil:
  - G Now if the oil used for the candelabrum, which is not destined to be eaten, requires the purest kind of olive oil,
  - H meal offerings, which are destined to be eaten, logically should require the purest kind of olive oil.
  - I Scripture therefore states, *Pure olive oil beaten for the light* (Ex. 20:27)—
  - J And not *pure olive oil beaten* for meal offerings.

## 8:6

Ш

- A And from whence did they bring wine?
- B Qarutim and Hattulim are *alpha* as to wine.
  - C Second to them are Bet Rimmah and Bet Laban in the hills, and Kefar Signah in the valley.
  - D All lands were valid, but from here did they bring it.
  - E They do not bring [the wine from grapes grown] either in a manured field, or in an irrigated field, or from vineyards sown with seed between the vines.
  - F And if they brought [it from such areas], it is valid.
  - G They do not bring [wine which derives from] sun-dried grapes.
  - H And if they brought [it from such a source], it is valid.
  - I "They do not bring last year's [wine]," the words of Rabbi.
  - J And sages declare valid.
  - K They do not bring sweet, or smoked, or boiled wine.
  - L And if one did bring [such kinds of wine], it is invalid.

- M They do not bring [wine made from grapes grown on] trellised vines, but only from vines growing from the ground and from vineyards which are tended.
- **8:7** A They did not collect it in large store utensils but in little jars.
  - B And one does not fill the jars up to their rims, so that its fragrance spreads.
  - C One does not draw [the wine] from its mouth, because of the scum, or from its bottom, because of the lees.
  - D But one draws it from the middle of the middle-third [of the jar].
  - E How does one test it?
  - F The [Temple] treasurer sits, with a reed in his hand. [When] it tossed off the froth, then he struck it with the reed [as a sign that it is to be sealed].
  - G R. Yose bar Judah says, "Wine on which scum came up is invalid, as it is said, And they shall be to you without blemish, and their meal offering (Num. 28:23), and They shall be unto you without blemish, also their drink offering (Num. 28:31)."
- 9:1 A Two dry measures were in the sanctuary: (1) a tenth [*ephah* measure], and (2) a half-tenth. B R. Meir says, "A tenth measure, [another] tenth measure, and a half-tenth measure" [M. 9:5].
  - C A tenth measure: How did it serve?
  - D In it did one measure [flour for] all meal offerings.
  - E One did not measure either with a three-tenths measure for [the meal offering of] a bullock, or with a two-tenths measure for [the meal offering of] a ram [Num. 15:6, 9, 28:12], but they measured them with tenth measures.
  - F A half-tenth measure: How did it serve?
  - G In it did one measure the baked cakes of a high priest [M. 4:5], half for the morning, half for twilight [M. 9:5].
- **9:2** A Seven liquid measures were in the sanctuary: (1) a *hin* twelve *logs*], and (2) a half-*hin*, and (3) a third-*hin*, and (4) a fourth-*hin*, (5) a *log*, and (6) half-*log*, and (7) a quarter-*log*.
  - B R. Eleazar b. Sadoq says, "Notches were in the *hin:* Up to here for a bullock [a half-*hin* of oil and wine], up to here for a ram [a third-*hin*], up to here for a lamb [a fourth *hin*, Num. 28:14]."
  - C R. Simeon says, "There was no *hin* there, and for what purpose would a hin serve? [There was no need for a *hin*-measure. It was used only for Moses' anointing oil, Ex. 30:24.]
  - D "But there was a further measure of a *log* and a half an eighth-*hin*], in which one did measure out [oil for] the high priest's meal offering.
  - E "A *log* and a half in the morning, and a *log* and a half at twilight."
- **9:3** A A quarter-*log*: How did it serve?
  - B A quarter-*log* of water for the *mesora* [Lev. 14:5], and a quarter-*log* of oil for the Nazirite [M. 7:2].
  - C A half-*log*: How did it serve? A half-*log* of water for the woman accused of adultery [Num. 5:17], and a half-*log* of oil for the thank offering [M. 7:1].
  - D And with a *log* did one measure out [oil] for all meal offerings.
  - E Even [for] the meal offering containing sixty tenths did one measure out sixty [individual] logs.
  - F R. Eliezer b. Jacob says, "Even a meal offering of sixty tenths gets only its [one] *log*,
  - G "as it is said, For a meal offering, and a log of oil (Lev. 14:21)."

- H Six [logs = a half-hin] [the drink offerings of] a bullock, four [logs = a third-hin] for a ram, three [logs = a quarter-hin] for a lamb, and three and a half for the lamp, a half-log for each light.
- **9:4** A They stir (1) [the meal offering which accompanies] drink offerings of rams with [that for] drink offerings of bullocks, (2) [the meal offering which accompanies] drink offerings of lambs with [that for] drink offerings of lambs, (3) those of an individual with those of the community, (4) those of one day with those of the preceding day [for drink offerings may be offered up to ten days after the sacrifice which they accompany].
  - B But they do not stir the drink offerings of lambs [A2] with the drink offerings of bullocks or rams [A1].
  - C And if one stirred them = [B], these by themselves and those by them selves, and they [then] become confused, they are valid.
  - D If before one stirred them [they became confused], it is invalid.
  - E The lamb which is brought with the omer—even though its meal offering was doubled [two tenths instead of one, Lev. 23:13], its drink offerings were not doubled [but each lamb gets three *logs* of wine and oil].
- 9:5 A All measures which were in the sanctuary were heaped up,
  - B except for that of the high priest, which he did heap up into its own midst.
  - C Liquid measures: their overflow was consecrated.
  - D And dry measures: their overflow was unconsecrated.
  - E R. Aqiba says, "The liquid measures are consecrated, therefore, their overflow is consecrated. And dry measures are unconsecrated, therefore, their overflow is unconsecrated."
  - F R. Yose says, "Not on this account, but [the reason is] that [by adding a surplus, what is in] the liquid measure is stirred up, but [by adding a surplus] what is in the dry measure is not stirred up. "
- **9:6** I A All offerings of the community and the individual require drink offerings,
  - B except for (1) the firstling, (2) tithe of cattle, (3) the Passover, (4) the sin offering, and (5) the guilt offering.
    - C But (4) the sin offering of the *mesora* and (5) his guilt offering require drink offerings.

9:7 II A All offerings of the community do not receive laying on of hands,

- B except for the bullock which is brought on account of [the community's transgression of] any of the commandments [Lev. 4:15] and the goat which is sent forth [Lev. 16:21].
  - C R. Simeon says, "Also: the goats which are brought on account of idolatry [Num. 15:2]."
- III D All offerings of the individual require laying on of hands,
  - E except for (1) the firstling, (2) tithe of cattle, and (3) the Passover.
    - F And the heir [of a man who died before bringing a vowed sacrifice] lays on hands and brings drink offerings and has the power to effect substitution (Lev. 27:10).
- **9:8** I A All lay on hands,

- B except for (1) the deaf-mute, (2) the idiot, and (3) the minor, (4) the blind person, and (5) the gentile, and (6) the slave, and (7) the agent, and (8) the woman.
- II C And laying on of hands constitutes the residue of the requirement [which may, in fact, be omitted without affecting the efficacy of atonement].
- III D [It is done] on the head [of the animal] with both hands.
- IV E And in the place in which they lay on hands [there do] they slaughter [the animal].
- V F And forthwith after laying on of hands is the act of slaughter.
- **9:9** A A more strict rule applies to laying on of hands than to waving, and to waving than to laying on of hands.
  - B For: One person waves for all associated [with the sacrifice], but one person does not lay on hands for all associated [with the sacrifice].
  - C A more strict rule applies to waving.
  - D For: Waving applies to offerings of an individual and to offerings of the community, to living animals and to slaughtered animals, to something animate and to something inanimate,
  - E which is not the rule for laying on of hands.

**10:1** A R. Ishmael says, "The *omer* was brought

- (1) "on the Sabbath from three *seahs* [of barley],
- (2) "and on a weekday, from five."
- B And sages say, "All the same are the Sabbath and the weekday: from three [*seahs*] was it brought."
- C R. Hananiah, Prefect of the Priests, says, "On the Sabbath it [the barley] was reaped (1) "by one man, and with one sickle, and into one basket,
  - (2) "and on a weekday by three men, into three baskets, with three sickles."
- D And sages say, "All the same are the Sabbath and the weekday: by three men, into three baskets, with three sickles."
- **10:2** I A The requirement of the *omer* is to bring it from [barley growing] nearby.
  - B [If] it [the crop] did not ripen near Jerusalem [in time for use on Nisan 16] [however,] they bring it from any place.
  - C *M'SH Š*: It was brought from Gaggot Serifin, and [the grain for] the two loaves [Lev. 23:17] from the valley of En Sokher.
- **10:3** A How did they do it?
  - 1 B Agents of the court go forth on the eve of [the afternoon before] the festival [of Passover].
    - 2 C And they make it into sheaves while it is still attached to the ground, so that it will be easy to reap.
    - 3 D And all the villagers nearby gather together there [on the night after the first day of Passover], so that it will be reaped with great pomp.
    - I E Once it gets dark [on the night of the sixteenth of Nisan], he says to them, "Has the sun set?"
      - F They say, "Yes."
      - G "Has the sun set?"
      - H They say, "Yes."
    - II I "[With] this sickle?"

- J They say, "Yes."
- "[With] this sickle?" Κ
- They say, "Yes." L
- III Μ "[With] this basket?"
  - They say, "Yes." Ν
  - "[With] this basket?" 0
  - They say, "Yes." Р
- IV Q On the Sabbath, he says to them, "[Shall I reap on] this Sabbath?"
  - They say, "Yes." R
    - S "[Shall I reap on] this Sabbath?"
  - They say, "Yes." Т
- U "Shall I reap?" V
  - They say, "Reap." V
  - "Shall I reap?" W
  - They say, "Reap"— Х
  - Y three times for each and every matter.
  - And they say to him, "Yes, yes, yes." Ζ
  - All of this [pomp] for what purpose? AA
  - Because of the Boethusians, for they maintain, "The reaping of the [barley for] the BB omer is not [done] at the conclusion of the festival."

## They reaped it, 10:4 А 4

- 5 В and they put it into baskets. 6
  - С They brought it to the court [of the Temple].
    - "They did parch it in fire, " so as to carry out the requirement that it be parched D with fire [Lev. 2:14]," the words of R. Meir.
      - E And sages say, "With reeds and with stems of plants do they [first] beat it [to thresh it],
        - "so that it not be crushed.
- 7 F "And they put it into a tube.
- 8 "And the tube was perforated, so that the fire affect all of it." G
  - Η They spread it out in the court, and the breeze blows over it.
- 10 Ι They put it into a grist mill and took out therefrom a tenth *ephah*, which is sifted through thirteen sieves [M. 6:7].
- And the residue is redeemed and eaten by anyone. 11 J And it is liable for the dough offering, but exempt from tithes.
  - R. Agiba declares it liable for both dough offering and tithes. Κ
- 12 He came [on the sixteenth of Nisan] to the tenth [ephah of flour], and put in its oil L and frankincense [M. 6:3].
- He poured in [oil] and mingled it and waved it. 13 Μ
- And he brought it near [M. 5:6] and took out the handful and offered it up. 14 Ν
- 15 0 And the residue is eaten by the priests.
- 10:5 After the omer was offered, they go out and find the market of Jerusalem full of meal and А parched grain [of new produce]-
  - "not with the approval of sages," the words of R. Meir. В
  - R. Judah says, "With the approval of sages did they do so." С
  - After the omer was offered, new produce was permitted forthwith. D

- E And [for] people who are distant [from Jerusalem] it is permitted from noontime and thereafter.
- F After the Temple was destroyed, Rabban Yohanan b. Zakkai ordained that the day of waving [of the *omer*, the second day of Passover] should be wholly prohibited [in respect to new produce].
- G (Said R. Judah, "And is it not so that it is prohibited by the Torah, as it is said, *To this selfsame day* (Lev. 23:14?")
- H On what account are those who are distant [from Jerusalem] permitted [to make use of new produce] from noontime and thereafter?
- I Because they are certain that the court is not slovenly therewith.
- **10:6** A The *omer* did render [new produce] permitted in the country, and the Two Loaves [of Shabuot, Lev. 23:16, rendered new produce permitted for the meal offering] in the sanctuary.
  - B They do not bring [from new produce] meal offerings, first fruits, and the meal offering which accompanies [drink] offerings along with beasts before the *omer*.
  - C And if one brought [any of these before the *omer*], it is invalid.
  - D [As to bringing these items of B] before the two loaves—one should not bring them [Lev. 23:16].
  - E And if one brought them, it is valid.
- **10:7** A [Loaves of bread made from] wheat, barley, spelt, oats, and rye are liable to dough offering.
  - B And they join together with one another [to form the volume of dough liable to the dough offering].
  - C And they are prohibited as to [the prohibition of] new produce before the *omer*/Passover, and [are prohibited] to be reaped before the *omer*/Passover.
  - D And if they took root before the *omer*, *the omer* renders them permitted [for reaping].
  - E And if not, they are prohibited until the coming omer will have been brought.
- **10:8** 1 A They reap [the crop before the *omer*] in irrigated fields in valleys, but they do not heap it up.
  - B The people of Jericho reap, with sages' approval,
  - C and they heap up [the grain], not with sages' approval.
  - D But sages did not stop them.
  - 2 E One reaps unripe corn and feeds it to cattle.
    - F Said R. Judah, "Under what circumstances? When one begins [to reap] before the crop reaches a third of its full growth."
    - G R. Simeon says, "Also: one may reap and feed [it to cattle] even after it has reached a third of its full growth."
- **10:9** 3 A They reap [if the ground is needed] for seedlings,
  - B or as a station for mourning,
    - C [or] to prevent the interruption [of the activity] of the *bet hammidrash*.
    - D One should not [however] make them into bundles, but he leaves them in small heaps.
  - II E The requirement of the *omer* is that it be brought from standing grain.
    - F [If] one did not find [standing grain], he may bring it from sheaves.

- III G Its requirement is that it come from fresh grain.
  - H [If] one did not find [fresh grain], he may bring it from dried [grain].
- VI I Its requirement is that one reap it by night.
  - J [If] it is reaped by day, it is valid.
- V K And it overrides [the rules of] the Sabbath.
- **11:1** A The Two Loaves [of Shabuot] are kneaded one by one and baked [in the oven] one by one [one, then the next].
  - B The [twelve loaves of] shewbread are kneaded one by one and baked two by two.
  - C And in a mold did one make them.
  - D And when he takes them from the oven, he puts them into [another] mold, so that they [their shapes] will not be spoiled.
- **11:2** A All the same are the Two Loaves and the shewbread:
  - B their kneading and their rolling out are [done] outside [the Temple court yard], and their baking, inside.
  - C And they baking them] do not override [the prohibitions of] the Sabbath [= M. 11:9J].
  - D R. Judah says, "All acts of preparing them are inside."
  - E R. Simeon says, "One should always be accustomed to state [the rule as follows]: 'The Two Loaves and the shewbread are valid [if made] in the courtyard and are valid [if made] in Bethphage.""
- **11:3** A The baked cakes of a high priest:

В

- B their kneading and their rolling out are [done] inside.
- C And they override [the prohibitions of] the Sabbath.
- D Grinding their [grain] and sifting it do not override the Sabbath.
- E A general principle did R. Aqiba state, "Any sort of work which it is possible to do on the eve of the Sabbath does not override the Sabbath, and [any sort of work] which it is not possible to do on the eve of the Sabbath does override the Sabbath [M. Shab. 19:1]."

11:4		А	All meal offerings are subject to preparation in a [consecrated] utensil [if they are prepared] inside, and are not subject to preparation in a [consecrated] utensil [if they are prepared] outside.
		В	How so?
	Ι	C	The Two Loaves: (1) their length is seven [handbreadths], (2) and their breadth, four, and (3) their horns [small pieces of dough placed on the four upper corners, like the horns of the altar], four fingerbreadths [high].
	II	D	The shewbread: (1) its length is ten [handbreadths], and (2) its breadth, five, and (3) its horns, seven fingerbreadths.
		Е	R. Judah says, "So that you not err [make use of the mnemonic]: ZDD YHZ" [= 7, 45 4, 10, 5, 7].
		F	Ben Zoma says, "And you shall place on the table shewbread in my sight [before my face] continually (Ex. 25:30)—that it should have a face."
11:5	III	А	"The table: Its length is ten [handbreadths] and its breadth, five [Ex. 25:33, two

- amahs by one, and the amah is five handbreadths, M. Kel. 17:10].
  - *"The shewbread: its length is ten [handbreadths] and its breadth, five* [M. 11:4D1–2].

C "One sets it lengthwise against the breadth of the table, and two and a half handbreadths does he double over [as a wall upward] on this side and on that [of the bread].

"It turns out that its length fills the whole breadth of the table," the words of R. Judah.

- D R. Meir says, "The table: Its length is twelve [handbreadths, and its breadth, six]. [The *amah* is six handbreadths.]
- E "The shewbread: its length is ten [handbreadths] and its breadth, five [M. 11:4D1– 2]:
- F "One sets it lengthwise against the breadth of the table, and two handbreadths on either side [of the bread] does he double [turn up as a wall], "with two handbreadths space in the middle [between the two sets of six loaves]," so that the wind blows between them [preventing mould]."
- G Abba Saul says, "There [in the open area (F)] did they set the two dishes of frankincense of the shewbread."
- H They said to him, "Has it not already been stated, *And you shall put pure frankincense upon each row* (Lev. 24:7)?"
- I He said to them, "And has it not already been said, *And next to him shall be the tribe of Manasseh* (Num. 2:20)?"
- **11:6** A Four golden props were there [at the corners of the table], with their heads shaped into branches [like a Y]
  - B with which they would support them [the loaves of bread], two [props] for this row [of bread], and two for that row.
  - C And [there were, inserted into the props] twenty-eight [golden] rods [reeds], [each shaped] like half of a hollow reed,
  - D fourteen for this row, and fourteen for that row.
  - E Neither the ordering of the reeds nor their removal overrides the Sabbath.
  - F But one enters on the eve of the Sabbath, draws them out, and places them parallel to the length of the table.
  - G All the utensils which were in the sanctuary [are laid out] lengthwise parallel to the length of the Temple [= east to west].
- **11:7** A Two tables were inside the porch, at the inside of the door of the house,
  - B one of marble, and one of gold.
  - C On the one of marble do they set the shewbread when it is brought in, and on the one of gold when it is taken out.
  - D For they raise in matters of holiness, and they do not lower.
  - E And one of gold is inside, on which [is arrayed] the shewbread continually.
  - F Four priests enter in,
  - G two in [whose] hands are two rows [of shewbread], and two in [whose] hands are two dishes [of frankincense].
  - H And four go in before them, two to take out the two rows [of bread], and two to take out the two dishes [of frankincense].
  - I Those who bring them in stand at the north [side of the table], with their faces to the south.
  - J Those that bring them out stand at the south with their faces to the north.
  - K These draw out [the old loaves] and these lay down [the new ones].
  - L And a handbreadth of one [new row] [lies] up against a handbreadth of another,

- M as it is said, *Before me perpetually* (Ex. 25:30).
- N R. Yose says, "Even though these take away [the old loaves] and [then] the others put down [the new loaves], this too was [deemed to carry out the requirement that the bread be set forth] perpetually."
- O They went forth and put them down on the golden table which was on the porch.
- P And they burned the dishes [of frankincense, which had been removed].
- Q And the loaves are divided among the priests.
- R [If] the Day of Atonement coincides with the Sabbath, the loaves are divided in the evening.
- S [If] it coincided with the eve of the Sabbath, the goat of the Day of Atonement is eaten in the evening.
- T The Babylonians would eat it raw,
- U because they are not squeamish.
- **11:8** A [If] one set out the bread on the Sabbath but [set out] the dishes [of frankincense] after the Sabbath and burned the dishes [of frankincense] on the [next] Sabbath, it is invalid. [It was only on the table six days.]
  - B And they are not liable on their account [the loaves of bread] because of violation of the rules of refuse, remnant, and uncleanness. [The bread is not sanctified.]
  - C [If] one set out the bread and the dishes [of frankincense] on the Sabbath and burned the dishes [of frankincense] after the Sabbath, it is invalid.
  - D And they are not liable on their account because of violation of the laws of refuse, remnant, and uncleanness.
  - E [If] one set out the bread and the dishes [of frankincense] after the Sabbath and burned the dishes on [the next] Sabbath, it is invalid. [They have not been left from Sabbath to Sabbath.]
  - F How should one do it?
  - G Let him leave it for the coming Sabbath [thirteen days in all], for even if it is on the table for many days, that is of no account.
- **11:9** A The two loaves are eaten, neither earlier than two [days] nor later than three [days after being baked].
  - B How so?
  - C [If] they are baked on the eve of the festival and eaten on the festival, [that would be an example of eating them] two days [after being baked].
  - D [If] the festival fell after the Sabbath, they are eaten three days [after being baked].
  - E The shewbread is eaten neither less than nine nor more than eleven days [after being baked].
  - F How so?
  - G [If] it is baked on the eve of the Sabbath and eaten on the Sabbath [in the following week], [that would be an example of eating them] nine days [after they are baked].
  - H [If] the festival coincided with the eve of the Sabbath, it is eaten ten [days after being baked].
  - I [In the case of] two festival days of the New Year [that is, if the New Year began on Thursday and the Day of Atonement fell on the following Sabbath], it is eaten eleven [days after being baked].
  - J And [baking it] does not override either the Sabbath or the festival [= M. 11:2C].
  - K Rabban Simeon b. Gamaliel says in the name of R. Simeon, son of the Prefect, "It overrides the festival, but it does not override the fast day."

- **12:1** A Meal offerings and drink offerings which were made unclean
  - B before one has sanctified them in a [consecrated] utensil
  - C are subject to redemption [for money, which is deemed consecrated in their stead].
  - D [If they are made unclean] after one has sanctified them in a [consecrated] utensil,
  - E they are not subject to redemption.
  - F Fowl and wood and frankincense and a utensil of service are not subject to redemption [at all],
  - G for [the rule (Lev. 27:11–13) which permits redemption of a blemished offering] is stated only [in connection with offerings of] cattle.
- **12:2** I A He who says, "Lo, I pledge myself [to bring a meal offering prepared] in a baking pan," and brought one prepared in a frying pan,
  - B [or he who says, "Lo, I pledge myself to bring a meal offering prepared] in a frying pan," nd brought one prepared in a baking pan [M. 5:8]—
  - C what he has brought, he has brought [as a separate freewill offering].
  - D But his obligation [for the original pledge] he has not carried out.
  - II E [He who says, "Lo, I pledge myself to offer] this [fine flour as a meal offering prepared] in a baking pan," and brought one prepared in a frying pan,
    - F [or he who says, "Lo, I pledge myself to bring this fine flour as a meal offering prepared] in a frying pan," [and brought one prepared] in a baking panG lo, this is invalid.
  - III H [He who says,] "Lo, I pledge myself to bring two tenths [of an *ephah* of fine flour prepared] in a single utensil," and brought [it] in two utensils,
    - I [or, "Lo, I pledge myself to bring two tenths of an *ephah* of fine flour prepared] in two utensils," and he brought [it] in one utensil—
    - J what he has brought, he has brought.
    - K But his obligation he has not carried out.
  - IV L [He who says, "Lo, I pledge myself to offer] these in one utensil," and brought [them] in two utensils,
    - M [or he who says, "Lo, I pledge myself to offer these] in two utensils," and he brought [them] in one utensil—
    - N lo, these are invalid.
  - V O [He who says,] "Lo, I pledge myself to bring two tenths [of an *ephah* of fine flour] in a single utensil," and brought them in two utensils,
    - P [If] they said to him, "In a single utensil did you vow [to bring the offering]."
    - Q and he [then] offered them in a single utensil,
    - R they are valid.
    - S And [if he offered them] in two utensils, they are invalid [for they cannot now be deemed a separate freewill offering].
  - VI T [He who says,] "Lo, I pledge myself to bring two tenths [*ephahs of* fine flour] in two utensils," and brought them in one utensil,
    - U [if] they said to him, "In two utensils did you vow [to bring them]."
    - V [and] he [then] offered them in two utensils,
    - W they are valid.
    - X [If] he gave them in a single utensil, they are deemed to be equivalent to two meal offerings which were confused [M. 3:3].
- **12:3** I A [He who says,] "Lo, I pledge myself [to bring] a meal offering made f barley," [in any case] must bring one made of wheat.

- II B [He who says, "Lo, I pledge myself to bring a meal offering made] of meal," must bring one made of fine flour.
- III C [He who says, "Lo, I pledge myself to bring a meal offering] without wine and frankincense," must bring one with oil and frankincense.
- IV D [He who says, "Lo, I pledge myself to bring a meal offering made of a half-tenth," must bring one made of a whole tenth.
- V E [He who says, "Lo, I pledge myself to bring a meal offering made of a tenth and a half-tenth," brings one made of two [whole] tenths [of an *ephah* of fine flour].
- VI F R. Simeon declares free [of the obligation to bring a meal offering in any of the foregoing cases],
  - G for he has not volunteered [a freewill meal offering] in the way in which people volunteer [to make a freewill meal offering].
- **12:4** A Man volunteers to make a freewill offering of a meal offering consisting of sixty tenths and brings it in a single utensil.
  - B If he said, "Lo, I pledge myself [to bring a meal offering] of sixty-one [tenths of an *ephah*]," he brings sixty in a single utensil, and one in a single utensil.
  - C For so does the community bring on the first festival day of the Festival [Sukkot] which coincides with the Sabbath sixty-one [tenths].
  - D It is enough for the individual to fall short of the community by one [tenth].
  - E Said R. Simeon, "And are not these for bullocks, and these for rams, and they are not mixed up with one another [for the quantity of oil for the tenths is not uniform]?
  - F "But [the reason is that] up to sixty tenths [of an *ephah*] can be mixed together [= Eliezer b. Jacob, M. 9:3]."
  - G They said to him, "Are sixty mixed together, and sixty-one not mixed together?"
  - H He said to them, "So it is in all measures [prescribed by] sages:
  - I "In forty *seahs* [of water] one immerses. In forty *seahs* of water less a single *qartob*, one cannot immerse.
  - J "They do not volunteer as a freewill offering a single *log* [of wine], two, or five. But they volunteer as a freewill offering three, four, or six, and any number more than six."
- **12:5** A "They volunteer wine as a freewill offering, but they do not volunteer oil as a freewill offering," the words of R. Aqiba.
  - B R. Tarfon says, "They volunteer oil as a freewill offering."
  - C Said R. Tarfon, "Just as we find in the case of wine that it is brought in fulfillment of an obligation, and it [also] is brought as a freewill offering, so in the case of oil, it is brought in fulfillment of an obligation, and it [also] is brought as a freewill offering."
  - D Said to him R. Aqiba, "No. If you have so stated the rule in connection with wine, it is because it is offered in fulfillment of one's obligation entirely by itself.
  - E "But will you say so in connection with oil, which is not offered in fulfillment of one's obligation entirely by itself?"
  - F Two people do not volunteer as a freewill offering a single tenth.
  - G But they volunteer as a single freewill offering a burnt offering and peace offerings,
  - H and in the case of fowl, even a single bird.
- **13:1** A [He who says,] "Lo, I pledge myself [to bring] a tenth," brings one [tenth].
  - B [He who says, "Lo, I pledge myself to bring] tenths" brings two [tenths].
    - C [He who says,] "I expressly said [a certain number of tenths] but I do not know what I expressly said" brings sixty tenths [the maximum offered by an individual (M. 12:4)].

- D [He who says,] "Lo, I pledge myself [to bring] a meal offering" brings any one [of the five kinds] he wants to.
- E R. Judah says, "He brings a meal offering of fine flour, for it is the distinctive one among [all types of] meal offerings."
- **13:2** A [He who says, "Lo, I pledge myself to bring] a meal offering" [or] "some kind of meal offering" brings one [of the five kinds].
  - B [He who says, "Lo, I pledge myself to bring] meal offerings" [or] "some kind of meal offerings" brings two [of the five kinds].
  - C [He who says,] "I expressly said [which kind] but I do not know what I expressly said" brings all five kinds.
  - D [He who says,] "I expressly said a meal offering of tenths, but I do not know what I expressly said" brings a meal offering of sixty tenths.
  - E Rabbi says, "Let him bring meal offerings of [every number] of tenths from one to sixty."
- 13:3 I A [He who says,] "Lo, I pledge myself [to bring] wood" should not [bring] less than two bundles of wood.
   II A [He who says,] "Lo, I pledge myself to bring] from bine energy" should not [bring] less
  - II B [He who says, "Lo, I pledge myself to bring] frankincense" should not [bring] less than a handful.
    - C They are five sorts of [rules pertinent to] handfuls:
      - (1) He who says, "Lo, I pledge myself [to bring] frankincense" should not [bring] less than a handful.
        - (2) He who volunteers a freewill offering of a meal offering brings with it a handful of frankincense.
        - (3) He who offers up a handful outside is liable.
        - (4–5) And two dishes require two handfuls [of frankincense.]
- **13:4** III A [He who says,] "Lo, I pledge myself [to bring] gold" [for the upkeep of the Temple] should not [bring] less than a golden *denar* 
  - IV B [He who says, "Lo, I pledge myself to bring] silver" should not [bring] less than a *denar* of silver.
  - V C [He who says, "Lo, I pledge myself to bring] copper" should not bring] less than [the value of] a silver *maah*.
    - D [He who says,] "I expressly said [how much I should give] but I do not know what I expressly said" must bring until he will state." I did not intend that much."
- **13:5** VI A [He who says], "Lo, I pledge myself [to bring] wine" must not [bring] less than three *logs* [those for the drink offerings of a lamb, the smallest volume].
  - VII B [He who says, "Lo, I pledge myself to bring] oil" must not bring less than a *log* [the smallest volume, that for a tenth of flour].
    - C Rabbi says, "Three *logs* [as at A]."
    - D [He who says,] "I expressly said [how much I should give] but I do not know what I expressly said" brings in accord with [what is brought on] the day of the most abundant [offering of wine or oil which is the first day of Sukkot when it coincides with the Sabbath].
- **13:6** VIII A [He who says], "Lo, I pledge myself [to bring] a burnt offering" brings a lamb [the smallest acceptable burnt offering].

		В	R. Eleazar b. Azariah says, "Or a turtledove, or a pigeon" [a fowl also is acceptable as a burnt offering].
	IX	С	[He who says,] "I expressly said [that I should offer a beast] of the herd but I do not know what I expressly said" brings a bullock and a calf.
		D	[He who says, "I expressly said that I should offer a beast] of the cattle but I do not know what I expressly said" must bring a bullock, a calf, a ram, a goat, and a lamb.
		Ε	[He who says,] "I expressly said [what I should offer] but I do not know what I expressly said" adds to them a turtledove and a pigeon.
13:7	Х	А	[He who says,] "Lo, I pledge myself [to bring] a thank offering and peace offerings" brings a lamb.
	XI	В	[He who says,] "I expressly said [that I should bring a beast] of the herd but I do not know what I expressly said" brings a bullock, a heifer, a young bullock, and a young heifer.
	XII	C	[He who says], "I expressly said [that I should bring a beast] of cattle, but I do not know what I expressly said" brings a bullock, a heifer, a young bullock, a young heifer, a ram, a ewe, a lamb, a she-lamb, a goat, a she-goat, a young ram, and a ewe-lamb.
13:8	Ι	А	[He who says,] "Lo, I pledge myself [to bring] an ox" brings it and its drink offerings to the value of a <i>maneh</i> .
	II	В	[He who says, "Lo, I pledge myself to bring] a young bullock" brings it and its drink offerings, to the value of five <i>selas</i> .
	III	С	[He who says, "Lo, I pledge myself to bring] a ram" brings it and its drink offerings to the value of two <i>selas</i> .
	IV	D	a lamb" brings it and its drink offerings to the value of a <i>sela</i> .
	V	Е	an ox to the value of a <i>maneh</i> "brings one at the value of a maneh, exclusive of the value of its drink offerings.
	VI	F	" a young bullock to the value of five <i>selas</i> " brings one of the value of five <i>selas</i> , exclusive of the value of its drink offerings.
	VII	G	" a ram at the value of two <i>selas</i> " brings one for two <i>selas</i> exclusive of the value of its drink offerings.
	VIII	Η	" a lamb at the value of a <i>sela</i> " brings one at the value of a <i>sela</i> , exclusive of the value of its drink offerings.
	IX	Ι	" an ox at the value of a <i>maneh</i> ," and he brought two for a <i>maneh</i> has not carried out his obligation, even if this one is worth a <i>maneh</i> less a <i>denar</i> , and the other one is worth a maneh less a <i>denar</i> .
		J	" a black one" and he brought a white one,
		Κ	"a white one" and he brought a black one,
		L	"a large one" and he brought a small one—
		Μ	he has not carried out his obligation.
		Ν	" a small one" and he brought a large one—
		0	he has carried out his obligation.
		Р	Rabbi says, "He has not carried out his obligation."
13:9		А	[He who says,] "This ox is a burnt offering," and it became blemished, if he wants, he may bring with the proceeds [for the sale of the ox] two [oxen].
		В	[He who says], "These two oxen are a burnt offering," and they got blemished, if he wants, brings with their proceeds one [ox].

- C Rabbi prohibits [doing so].
- D [He who says,] "This ram is a burnt offering," and it became blemished, if he wants, brings with its proceeds a lamb.
- E [He who says,] "This lamb is a burnt offering," and it became blemished, if he wants, brings with its proceeds a ram.
- F Rabbi prohibits [doing so].
- I G He who says, "One of my lambs is dedicated, and "one of my oxen is dedicated"—
  - H [if] he had two, the larger of them is dedicated.
- II I [If he had] three, the middle-sized one is dedicated.
- III J [If he said,] "I expressly said [which one I should give] but I do not know what I expressly said."
  - K [if] he said, "Father said to me [which one to give] but I do not know what [he said]"—
  - L the largest among them is dedicated.
- **13:10** A [He who says,] "Lo, I pledge myself [to bring] a burnt offering" offers it in the sanctuary.
  - B And if he offered it in the House of Onias, he has not carried out his obligation.
  - C [He who says, "Lo, I pledge myself to bring a burnt offering] which I shall offer in the House of Onias" offers it in the sanctuary.
  - D But if he offered it in the House of Onias, he has carried out his obligation.
  - E R. Simeon says, "This is no burnt offering."
  - F [He who says,] "Lo, I am a Nazirite" shaves [Num. 6:13–18] in the sanctuary.
  - G And if he shaved in the House of Onias, he has not carried out his obligation.
  - H [If he said, "Lo, I am a Nazirite, and] I shall shave in the House of Onias" shaves in the sanctuary.
  - I But if he shaved in the House of Onias, he has carried out his obligation.
  - J R. Simeon says, "This is no Nazirite."
  - K The priests who served in the House of Onias are not to serve in the sanctuary in Jerusalem.
  - L And one need not say [that this applies to those who have served] for another matter [idolatry],
  - M as it is said, Nevertheless the priests of the high places came not up to the altar of the Lord in Jerusalem, but they ate unleavened bread among their brethren (II Kings 23:9)—
  - N lo, they are like blemished priests, taking a share and eating [it] but not offering up [sacrifices].
- **13:11** A It is said of the burnt offering of a beast, *An offering by fire, a smell of sweet savor* (Lev. 1:9) and of the bird offering, *An offering by fire, a smell of sweet savor* (Lev. 1:17) and [even] of the meal offering, *An offering by fire, a smell of sweet savor* (Lev. 2:9)—
  - B to teach that all the same are the one who offers much and the one who offers little, on condition that a man will direct his intention to Heaven.

## HULLIN

- **1:1** A (1) All slaughter,
  - (2) and their act of slaughter is valid,
  - B except for a deaf-mute, an imbecile, and a minor,

С	(lest they impair [the fitness	of the carcass] through their act of	f slaughter.)
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- D But all of them [= B] who performed an act of slaughter, with others watching them—their act of slaughter is valid.
- E The act of slaughter of a gentile [produces] carrion.
- F And it [the meat] imparts uncleanness through being carried.
- G He who slaughters at night—
- H and so too a blind person who slaughtered—
- I his act of slaughter is valid.
- 2 J He who slaughters on the Sabbath or on the Day of Atonement, even though he [thereby] becomes liable for his life—
  - K his act of slaughter is valid.
- **1:2** 3 A He who slaughters with [the smooth edge of] a hand sickle, with a flint, or with a reed—
  - B his act of slaughtering is valid.
  - I C All slaughter

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- II D And at any time do they slaughter.
- III E And with anything do they slaughter,
  - F except for (1) a scythe, and (2) a saw, and (3) teeth, and (4) a fingernail,
  - G because they [do not cut but tear the windpipe and] choke [the animal].
- 4 H He who slaughters with a scythe, [drawing the scythe] forward—
  - I the House of Shammai declare invalid.
    - J And the House of Hillel declare valid.
    - K And if they filed down its teeth, lo, it is equivalent to a knife.
- **1:3** 5 A He who slaughters [by cutting] through the [top cartilage] ring [of the windpipe] and left in it a thread's breadth of its whole circumference [towards the head]—
  - B his act of slaughter is valid.
    - C R. Yose b. Judah says, "A thread's breadth of the greater part of its circumference."
- **1:4** I A He who slaughters [an animal by cutting] at the sides [of the throat]—
  - B his act of slaughter is valid.
    - C He who wrings off [the neck of a bird for sacrificial purposes, M. Zeb. 6:4] at the sides [of the throat]—
  - D his act of wringing the neck is invalid.
  - II E He who slaughters [by cutting] at the back [of the neck]
    - F his act of slaughter is invalid.
      - G He who wrings the neck [of a bird] at the back [of the neck]—
      - H his act of wringing the neck is valid [Lev. 5:8].
  - III I He who slaughters [by cutting] at [the front of] the throat— his act of slaughter is valid.
    - J He who wrings the neck at [the front of] the throat—
    - K his act of wringing the neck is invalid.
    - L For the whole back of the neck is valid for wringing the neck, and the whole [region about] the throat is valid for slaughtering.
    - M It turns out that what is valid for slaughtering is invalid for wringing the neck, what is valid for wringing the neck is invalid for slaughtering.

1:5	Ι	A	That which is valid in the case of turtledoves is invalid in the case of pigeons.	
		B C	What is valid in the case of pigeons is invalid in the case of turtledoves. The beginning of the brightening [of the neck feathers] in both this one and that one is invalid.	
1:6	II	А	What is valid [as a mode of killing] in the case of the [red] cow is invalid in the case of the calf [whose neck is to be broken].	
		В	What is valid in the case of the calf is invalid in the case of the cow.	
	III	С	What is valid in the case of priests is invalid in the case of Levites.	
		D	What is valid in the case of Levites in invalid in the case of priests.	
	IV	E	What is clean [insusceptible to uncleanness] in the case of clay utensils is unclean [susceptible] in the case of all [other] utensils.	
		F	What is clean in the case of all [other utensils] is unclean in the case of the clay utensils.	
	V	G	What is clean in the case of wooden utensils is unclean in the case of metal utensils.	
		Η	What is clean in the case of metal utensils is unclean in the case of wooden utensils.	
	VI	Ι	What is liable [for tithes] in the case of bitter almonds is exempt [from tithes] in the case of sweet [almonds].	
		J	What is liable in the case of sweet ones is exempt in the case of bitter ones.	
1:7	Ι	А	Grape skin wine: before it has fermented is not purchased with funds deriving from [second] tithe and invalidates the immersion pool.	
		В	After it has fermented, it is purchased with funds deriving from tithe and does not invalidate the immersion pool.	
	II	С	Brothers who are partners: when they are liable to surcharge, they are exempt from tithe of cattle.	
		D	When they are liable to tithe of cattle, they are exempt from surcharge.	
	III	Е	In any situation in which there is a right of sale, there is no fine.	
		F	And in any situation in which there is a fine, there is no right of sale.	
	IV	G	In any situation in which there is a right of refusal, there is no <i>halisah</i> .	
		Η	And in any situation in which there is <i>halisah</i> , there is no right of refusal.	
	V	I J	In any situation in which there is a sounding [of the <i>shofar</i> ], there is <i>no habdalah</i> . And in any situation in which there is <i>habdalah</i> , there is no sounding [of the	
		K	<i>shofar</i> ]. A festival which coincided with Friday [the eve of the Sabbath]—they sound the <i>shofar</i> , and they do not say <i>habdalah</i> .	
		L	And [a festival which coincided with] Sunday [the day after the Sabbath] they say <i>habdalah</i> and they do not sound [the <i>shofar</i> ].	
		Μ	How do they say habdalah?	
		Ν	"Who distinguishes between one holy [season] and [another] holy [season]."	
		0	R. Dosa says, "[Who distinguishes] between a more holy [season] and a less holy [season]."	
2:1	А	or tw	who slaughters [cuts] one [organ, either the windpipe or the gullet] in the case of fowl, yo [both the windpipe and the gullet] in the case of a beast—his act of slaughter is	
	D	valid		
	B	And the greater part of one [of the organs] is equivalent to [the whole of it.]		

C R. Judah says, "[This in the case of fowl is so only on condition] that he will slaughter [cut through] the [jugular] veins [of the neck of the bird]."

- D [He who cuts through] half of one [organ] in the case of fowl and one and half [organs] in the case of a beast—his act of slaughter is invalid.
- E [He who cuts through] the greater part of one [organ] in the case of fowl or the greater part of two [organs] in the case of a beast—his act of slaughter is valid.
- **2:2** A He who slaughters [cuts through] two heads [of cattle] simultaneously —his act of slaughter is valid.
  - B [If] two people hold the knife and effect an act of slaughter [of a single beast], even if [one holds the knife at] the upper [end], and one at the lower—their act of slaughter is valid.
- **2:3** A [If] one chopped off the head with a single stroke, it is invalid.
  - B [If] one was engaged in the act of slaughter and chopped off the head with a single stroke,
  - C if the knife is [as long again as] the width of the neck, it is valid.
  - D [If] one was engaged in the act of slaughter and chopped off two heads simultaneously,
  - E if the knife was [as long again as] the width of the neck of one [of them], it is valid.
  - F Under what circumstances?
  - G When [the slaughterer moved the knife] forward but not backward, or backward but not forward.
  - H But if he moved it forward and backward,
  - I however short [the knife],
  - J even with a scalpel,
  - K it is valid.
  - L [If] the knife fell and effected the act of slaughter,
  - M even if it effected the act of slaughter properly,
  - N it is invalid.
  - O As it is said, And you will slaughter ... and you will eat ... (Dt. 12:21)—
  - P just as *you* effect the act of slaughter, so do *you* eat.
  - Q [If] the knife fell and one raised it up,
  - R [or] if his clothing fell and he picked them up,
  - S [or if] he was whetting the knife, [or if] he became weary,
  - T [and he therefore interrupted the act of slaughter], and his fellow came and [completed the act of] slaughter—
  - U if the delay was sufficient for an act of slaughter [cutting of two organs],
  - V it is invalid.
  - W R. Simeon says, "[That is the rule] if the delay was sufficient for examining [the knife]."
- **2:4** A [If] one slaughtered [cut through] the gullet and tore open the windpipe,
  - B or slaughtered [cut through] the windpipe and [afterward] tore open the gullet,
  - C or slaughtered [cut through] one of them and waited until [the animal] died,
  - D or [after properly cutting one organ], thrust the knife into the second [of the organs] and tore it [from below to above]—
  - E R. Yeshebab says, "It is carrion."
  - F And R. Aqiba says, "It is *terefah*.
  - G A general principle did R. Yeshebab state in the name of R. Joshua, "Whatever is invalidated while it is being slaughtered is deemed carrion. Whatever is subject to an act of slaughter which is proper, but which some other matter caused to be invalidated, is *terefah*."
  - H And R. Aqiba concurred with him.

- 2:5 A He who slaughters a beast, a wild animal, or fowl, from which blood did not exude—
  - B they are valid.
  - C And they are eaten with dirty hands,
  - D because they have not been made susceptible to uncleanness by blood.
  - E R. Simeon says, "They are rendered susceptible to uncleanness by the act of slaughter itself."
- **2:6** A He who slaughters an animal which was at the point of death—
  - B Rabban Simeon b. Gamaliel says, "[It is invalid] unless it jerks a foreleg or hind leg."
  - C R. Eliezer says, "It is sufficient [for it to be valid] if [the blood] spurts forth."
  - D Said R. Simeon, "Also: He who slaughters by night and at dawn arises and finds the walls full of blood—it is valid,
  - E "for [the blood] has spurted."
  - F And [his opinion is consistent with] the reasoning of R. Eliezer.
  - G And sages say, "[It is invalid] unless it jerks a foreleg or a hind leg,
  - H "or unless it moves its tail."
  - I All the same are a small beast [sheep, goats] and a large beast [oxen].
  - J A small beast which put forth its foreleg and did not withdraw it is invalid,
  - K for [this is] only [a token of] its expiring.
  - L Under what circumstances?
  - M When it was in the presumption of being at the point of death.
  - N But if it was in the assumption of being sound,
  - O even if none or all of these tokens pertains to it,
  - P it is valid.
- 2:7 A He who slaughters [a gentile's beast] on behalf of a gentile
  - B his act of slaughter is valid.
  - C And R. Eliezer declares [it] invalid.
  - D Said R. Eliezer, "Even if he slaughtered it so that the gentile might eat from its midriff [and an Israelite consumes the rest], it is invalid.
  - E "For the unstated intention of a gentile is [deemed to be] for the purpose of idolatry."
  - F Said R. Yose, "It [the proposition of A–B] is an argument from the less to the greater:
  - G "Now if in a situation in which intention invalidates, namely, in the case of Holy Things, all matters follow only [the intention] of the one who performs the rites [required in the offering],
  - H "in a situation in which [improper] intention does not invalidate, namely, in the case of unconsecrated things, is it not logical that all matters should follow only [the intention] of the one who performs the act of slaughter?"
- **2:8** A He who slaughters (1) for the sake of mountains, (2) for the sake of valleys, (3) for the sake of seas, (4) for the sake of rivers, (5) for the sake of deserts
  - B his act of slaughter is invalid.
  - C [If] two take hold of a knife and perform an act of slaughter,
  - D one for the sake of any of the aforenamed, and one for the sake of a valid purpose,
  - E their act of slaughter is invalid.
- **2:9** A They do not perform an act of slaughter [in such a way that the blood falls] either into seas, or into rivers, or into utensils.

- B But one slaughters [so that the blood falls] into a dish filled with water, or, [when on board] a boat, on to the backs of utensils.
- C They do not slaughter [in such a way that the blood falls] into a hole.
- D But one makes a hole in his house, so that the blood will flow down into it.
- E And in the market one may not do so,
- F so that one will not imitate the *minim* [in their ways].
- **2:10** A He who slaughters [an unconsecrated beast outside of the Temple (1) for the sake of a burnt offering, (2) for the sake of animal offerings, (3) for the sake of a suspended guilt offering, (4) for the sake of a Passover, (5) for the sake of a thank offering—
  - B his act of slaughter is invalid.
  - C And R. Simeon declares valid.
  - D Two hold onto a knife and perform an act of slaughter, one for the sake of one of all the aforenamed items, and one for the sake of a valid purpose—
  - E their act of slaughter is invalid.
  - F He who slaughters [an unconsecrated beast outside of the Temple] (1) for the sake of a sin offering, (2) for the sake of an unconditional guilt offering, (3) for the sake of a firstling, (4) for the sake of tithe [of cattle], (5) for the sake of a substitute offering—
  - G his act of slaughter is valid.
  - H This is the general principle [of A–B, F–G]: As to anything which is [offered as fulfillment of] a vow or as a freewill offering—he who slaughters it for the sake of its own name—
  - I it is prohibited.
  - J But as to anything which is not [offered as fulfillment of] a vow or as a freewill offering he who slaughters it for its name—
  - K it is valid.
- **3:1** A These are the *terefah* [carcasses] among cattle:
  - B (1) one in which the gullet is pierced,
    - (2) and one in which the windpipe is torn.
  - C (3) [If] the membrane of the brain is pierced,
    - (4) [if] the heart is pierced up to the empty space [cavity] thereof;
    - (5) [if] the backbone is broken so that the spinal cord is severed;
    - (6) [if] the liver is removed [missing], so that nothing whatsoever remains of it.
  - D (7) The lung which is pierced or lacking [any part thereof]
  - E R. Simeon says, "[It is not *terefah*] until its bronchial tubes are pierced."
  - F (8) [If] the belly [abomasum] is pierced,
    - (9) [if] the gallbladder is pierced,
    - (10) [if] the intestines are pierced;
    - (11) [if] the innermost belly [rumen] is pierced.
  - G (12) The greater part of the outer [coating] which is pierced.
  - H R. Judah says, "In the case of a large [animal], a handbreadth, and in the case of a small one, its greater part."
    - (13) The omasum or the second stomach [reticulum] which are pierced on the outer side.
  - I (14) [If] it fell from the roof,
  - (15) [If] the greater number of its ribs are broken.
  - J And one which has been mauled by a wolf.
  - K R. Judah says, "One mauled by a wolf, in the case of a small beast, and one mauled by a lion in the case of a large beast,
    - " one mauled by a hawk, in the case of small fowl, and one mauled by a

falcon, in the case of large fowl."

- L This is the general principle: Any the like of which does not live is *terefah*.
- **3:2** A And these are the valid [carcasses] among cattle:
  - (1) [if] the windpipe is pierced or which is slit [lengthwise]—
  - B How large may the hole be? Rabban Simeon b. Gamaliel says, "So much as an Italian *issar*"—
    - (2) [if] the skull is damaged, but the membrane of the brain is not pierced,
      - (3) [if] the heart is pierced, but not up to the empty space [cavity] thereof,
      - (4) [if] the backbone is broken, but the spinal cord is not severed,
      - (5) [if] the liver is removed, but an olive's bulk of which remains,
      - (6) the omasum or the second stomach [reticulum] which are pierced [so
      - that the holes lead] one into the other,
      - (7) [if] the spleen is removed,
      - (8) [if] the kidneys are removed,
      - (9) [if] the lower jaw is removed,
      - (10) [if] the womb is removed.
  - D (11) And one [the lung] of which is dried naturally.
  - E (12) One which has lost its hide [having been flayed]—
  - F R. Meir declares valid

С

- G And sages declare invalid.
- **3:3** A And these are the *terefah* [carcasses] among fowl:
  - (1) one the gullet of which is pierced,
    - (2) one the windpipe of which is torn.
  - B (3) [If] the weasel pierced its head at a point which renders it *terefah*;
    - (4) [if] the gizzard is pierced:
    - (5) [if] the small intestines are pierced.
  - C (6) [If] it fell into the fire and the intestines were scorched if they are green, they are invalid. If they are red, they are valid.
  - D (7) [If] one trampled it or knocked it against the wall,
  - E or [If] a beast trampled on it, and it flutters
    - if it remains alive for twenty-four hours, and one [then] slaughtered it, it is valid.
- **3:4** A And these are valid [carcasses] among fowl:
  - (1) [if] the windpipe is pierced or severed [lengthwise],
  - B (2) [if] the weasel pierced its head at a point which does not render it *terefah*,
  - C (3) [if] the crop was pierced,
  - D Rabbi says, "Even if it is removed"—
  - E (4) [if] the intestines protrude but are not pierced,
    - (5) [if] its wings are broken,
    - (6) [if] its legs are broken,
    - (7) [if] its wing feathers are plucked.
  - F R. Judah says, "If the fuzz is removed, it is invalid."
- **3:5** A (1) [A beast which suffers from] congestion of blood,
  - (2) and one [which has suffered from] smoke,

- (3) and one [which has suffered from] cold,
- (4) and one which has eaten oleander,
- (5) and one which has eaten chicken excrement,
- (6) or which has drunk dirty water
- B is valid.
- C [If] it ate deadly poison, or if a snake bit it, it is permitted in respect to *terefah*, but it is prohibited as a danger to life.
- **3:6** A The tokens [by which we know whether or not animals are deemed clean or fit] of cattle and wild beasts have been stated by the Torah [Lev. 11:3].
  - B And the tokens of fowl have not been so stated.
  - C But sages have ruled: "Any fowl which seizes is unclean. Any [fowl] which has an extra talon [the hallux] and a craw, and the skin of the stomach of which [can] be stripped off is clean."
  - D R. Eleazar b. Sadoq says, "Any bird which parts its toes evenly [two in front and two in back] is unclean" [Lev. 11:3].
- **3:7** A And among locusts:

Any which has (1) four legs, (2) four wings, and (3) jointed legs [Lev. 11:21], and (4) the wings of which cover the greater part of its body.

- B R. Yose says, "And (5) the name of which is locust."
- C And among fish;
  - Any which has fins and scales.
- D R. Judah says, "Two scales and a single fin [are sufficient]."
- E And what are scales?
- F Those which are immovable.
- G And fins?
- H Those with which it swims [but not propelling itself on dry land with them].
- **4:1** A A beast which was in hard labor, and the offspring [of which] put its hoof out and withdrew it—
  - B [when the dam is properly slaughtered], it [the offspring] is permitted to be eaten. [Not being deemed born, it is not a living beast which itself must be slaughtered before being eaten.]
  - C [If] it put forth its head, even though it withdrew it, lo, this is [deemed] as fully born.
  - D [If] one cuts off part of the offspring which is in its womb—
  - E it [that which is cut off] is permitted to be eaten.
  - F [If he cut off] part of the spleen or kidneys [of the beast itself], it is prohibited to be eaten.
  - G This is the general principle:
    - (1) Something which is part of its [the dam's] body is prohibited.
    - (2) Something which is not part of its body is permitted.
- **4:2** A A beast producing its firstborn which is in hard labor—
  - B one cuts off the limbs [of the offspring] one by one and throws them to the dogs.
  - C [If] the greater part of it came forth, lo, this is to be buried.
  - D And it [beast] is free of [the law of] the firstling.
- **4:3** A A beast, the foetus of which died in its womb,

- B and [which foetus] the shepherd put in his hand and touched—
- C whether in the case of an unclean beast or a clean beast—
- D he is clean.
- E R. Yose the Galilean says, "In the case of an unclean beast, he is unclean, and in the case of a clean beast, he is clean."
- F The woman whose foetus died in her womb, and [which foetus] the midwife put in her hand and touched—
- G the midwife is unclean with a seven-day uncleanness, and the woman is clean until the foetus will emerge.
- **4:4** A A beast which is in hard labor, and the young put forth its hoof (and) which one cut off, and afterward one slaughtered its dam—
  - B [the hoof is unclean as carrion but] the meat [of the offspring in the womb] is clean.
  - C [If] he slaughtered its mother and afterward cut it off—
  - D "the meat [of the offspring] is in the status of that which has touched carrion [namely, the hoof, which, located outside the womb, is unaffected by the slaughter of the mother]," the words of R. Meir.
  - E And sages say, "[It is in the status of that which has] touched *terefah* which has been slaughtered."
  - F [Said they to R. Meir,] "Just as we find in the case of the *terefah* that slaughtering it renders it clean, so the slaughtering of a beast should render the limb clean."
  - G Said to them R. Meir, "No. If the slaughtering of a *terefah* animal has rendered it clean, it is something which is part of its body. But should it render the limb clean, which is not part of its body?"
  - H How do we know concerning a *terefah* animal that slaughtering it renders it clean?
  - I An unclean beast is prohibited to be eaten, so too a *terefah* beast is prohibited to be eaten. Just as [in the case of] an unclean beast slaughtering it does not render it clean, so in the case of a *terefah* beast, slaughtering it should not render it clean.
  - J No. If you have so stated in the case of an unclean beast, which never had a moment at which it was valid, will you say so in the case of a *terefah* beast, which had a moment at which it was valid.
  - K Take for yourself what you have brought [the implications of your own logic]!
  - L Lo, that which is born as a *terefah* from the womb—how should we know [the rule that slaughtering it renders it clean]?
  - M No. If you have so stated in regard to the unclean beast, the species of which [animal] is not subject to slaughter, will you say so in the case of *terefah*, *the* species of which [animal] is subject to slaughter?
  - N As to a live eight-month's birth, slaughtering it does not render it clean, because the like [of it] is not subject to slaughtering.
- **4:5** A He who slaughters a beast and found in it an eight-months' birth, living or dead, or a dead nine-months' birth,
  - B tears it out and removes its blood.
  - C "[If] he found a live nine-months' birth, it requires slaughtering.
  - D "And it is liable to the rule concerning *it and its young* [Lev. 22:28, which are not to be slaughtered on the same day]," the words of R. Meir.
  - E And sages say, "The slaughtering of its mother renders it clean."
  - F R. Simeon Shezuri says, "Even if [it grew to the] age of eight years and ploughs a field the slaughtering of its mother renders it clean."

- G [If] one cut [into a beast] and found in it a living nine-months' birth, it requires slaughtering,
- H because its mother has not been slaughtered.
- **4:6** A A beast, the [hind] legs of which are cut off below the knee, is valid.
  - B [If they are cut off] above the knee, it is invalid.
  - C And so [if] the juncture of the thigh sinews was removed [it is invalid].
  - D [If] the bone broke [but was not cut off], if most of the meat remains, slaughtering it renders it [the broken leg] clean.
  - E And if not, slaughtering it does not render it clean [and the broken leg cannot be eaten, but the rest of the beast is valid].
- **4:7** A He who slaughters the beast and found in it an afterbirth—
  - B [slaughtering the mother renders it clean, so] a robust person will eat it.
  - C But it is subject to neither the uncleanness of foods nor [if the beast dies] the uncleanness of carrion.
  - D [If] he gave thought to it [for use as food], it imparts the uncleanness of foods [M. Uqs. 3:1], but not the uncleanness of carrion.
  - E An afterbirth, part of which emerged, is prohibited to be eaten.
  - F It is a token of [the birth of] an offspring in a woman, and the token of [the birth of] an offspring in a beast.
  - G A beast which, producing its first born, dropped an afterbirth—
  - H one should throw it to the dogs.
  - I And in the case of Holy Things, it is to be buried.
  - J They do not bury it at the crossroads.
  - K And they do not hang it on a tree,
  - L because of [imitating] the ways of the Amorites.
- 5:1
- A [The prohibition against slaughtering on the same day] *it and its young* [Lev. 22:28] applies (1) in the Land and outside the Land, (2) in the time of the Temple and not in the time of the Temple, (3) in the case of unconsecrated beasts and in the case of consecrated beasts.
  - B How so?
- I C He who slaughters it and its offspring, (1) which are unconsecrated, (2) outside [the Temple courtyard]—both of them are valid. And [for slaughtering] the second he incurs forty stripes.
- II D [He who slaughters] (1) Holy Things (2) outside—[for] the first is he liable to extirpation, and both of them are invalid, and [for] both of them he incurs forty stripes.
- III E [He who slaughters] (1) unconsecrated beasts (2) inside [the Temple courtyard] both of them are invalid, and [for] the second he incurs forty stripes.
- IV F [He who slaughters] (1) Holy Things (2) inside—the first is valid, and he is exempt [from any punishment], and [for] the second he incurs forty stripes, and it is invalid.
- **5:2** V A [He who slaughters] (1) unconsecrated beasts and (2) Holy Things *outside* [the Temple courtyard], the first is valid, and he is free [on its account of the penalty of extirpation], and [for] the second he incurs forty stripes, and it is invalid.

- VI B [He who slaughters] (1) Holy Things and (2) unconsecrated beasts *outside*, [for] the first he is liable to extirpation, and it is invalid. And the second is valid. And [for] both of them he incurs forty stripes.
- VII C [He who slaughters] (1) unconsecrated beasts and (2) Holy Things *inside* [the Temple], both of them are invalid. And [for] the second he incurs forty stripes.
- VIII D [He who slaughters] (1) Holy Things and (2) unconsecrated beasts *inside*, the first is valid. And he is free [on its account of the penalty of extirpation]. And [for] the second he incurs forty stripes, and it is invalid.
- IX E [He who slaughters] unconsecrated beasts (1) outside and (2) inside, the first is valid, and he is free [of the penalty of extirpation]. And [for the second] he incurs forty stripes, and it is invalid.
- X F [He who slaughters] Holy Things (1) outside and (2) inside, [for] the first he is liable to extirpation, and both of them are invalid. And [for] both of them he incurs forty stripes.
- XI G [He who slaughters] unconsecrated beasts (1) inside and (2) outside, the first is invalid. And he is free [of the penalty of extirpation]. And [for] the second he incurs forty stripes. And it is valid.
- XII H [He who slaughters] Holy Things (1) inside and (2) outside, the first is valid. And he is free [of the penalty of extirpation]. And [for] the second he incurs forty stripes, and it is invalid.

## 5:3

- A (1) He who slaughters [a beast], and it turns out to be *terefah*,
- B (2) he who slaughters a beast for idolatrous purpose,
- C (3) and he who slaughters a cow [to be burned] for purification [water], and an ox which is to be stoned, and a heifer whose neck is to be broken [none of which is eaten]—
- D R. Simeon declares exempt [from punishment for violating the prohibition against slaughtering it and its offspring on one day].
- E And sages declare liable.
- F (1) He who slaughters [a beast], and it is made carrion by his own deed,
- G (2) he who pierces [the windpipe],
- H (3) and he who tears out [the windpipe]
- I is exempt on account of [violating the prohibition against slaughtering it and its offspring on one day].
- J Two who purchased, [one] a cow, and [the other] its offspring—
- K that one who purchased the first slaughters first.
- L But if the second did it first, he has acquired the right [to do so].
- I M [If] he slaughtered a cow and afterward its two offspring, he incurs eighty stripes.
- II N [If] he slaughtered its two offspring and afterward slaughtered it, he incurs forty stripes.
- III O [If] he slaughtered it, its daughter, its granddaughter, he incurs eighty stripes.
- IV P [If] he slaughtered it and its granddaughter and afterward slaughtered its daughter, he incurs forty stripes.
  - Q Sumkhos says in the name of R. Meir, "He incurs eighty stripes."
  - R At four seasons in the year does he who sells a beast to his fellow have to inform him." Its mother did I sell for slaughter, its daughter did I sell for slaughter," and these are they:
    - (1) On the eve of the last festival day of the Festival [of Sukkot;]
    - (2) on the eve of the first festival day of Passover;

- (3) on the eve of Aseret [Shabuot],
- (4) and on the eve of the New Year.
- S And in accord with the opinion of R. Yose the Galilean, "Also on the eve of the Day of Atonement in Galilee."
- T Said R. Judah, "Under what circumstances? When there is no space of time [between sales]. But if there is a space of time [between sales] he does not need to inform him."
- U And R. Judah agrees in the case of one who sells the dam to the bridegroom and the daughter to the bride, that he needs to inform him.
- V For it is certain that both will slaughter [them] on the same day.
- **5:4** A At these four seasons do they force the butcher to slaughter [an animal] against his will.
  - B Even if it was an ox worth a thousand *denars*, and the purchaser has only one *denar*, they force him to slaughter it.
  - C Therefore if it dies, the loss is that of the customer.
  - D But on the rest of the days of the year, it is not so.
  - E Therefore if it dies, the loss is that of the seller.
- **5:5** A *One day* which is stated in connection with *it and its young* [means] the day with the preceding night.
  - B This did Simeon b. Zoma expound: "It is stated with reference to the works of creation, *One day* [Gen. 1:5], and it is stated with reference to *it and its young, One day* [Lev. 22:28]. Just as one day stated with reference to the works of creation means the day with the preceding night, so one day stated with reference to *it andits young* [means] the day with the preceding night."
- **6:1** A (1)[The requirement to] cover up the blood applies in the Land and abroad, (2) in the time of the Temple and not in the time of the Temple, (3) in the case of unconsecrated beasts, but not in the case of Holy Things.
  - B And it applies (4) to a wild beast and a bird, (5) to that which is captive and to that which is not captive.
  - C And it applies (6) to a *koy*, because it is a matter of doubt [whether it is wild or domesticated].
  - D And they do not slaughter it [a *koy*] on the festival. But if one has slaughtered it, they do not cover up its blood.
- **6:2** A (1) He who slaughters [a wild beast or a bird] and it turns out to be *terefah*,
  - B (2) he who slaughters for the purpose of idolatry,
  - C (3) he who slaughters an unconsecrated [wild animal or bird] inside [the Temple] or consecrated ones outside [M. 5:1],
  - D (4) a wild beast and a bird which are to be stoned
  - E R. Meir declares liable [for the covering up of the blood] [M. 5:3].
  - F And sages declare free [of the liability].
  - G (1) He who slaughters [a wild beast or a bird] and it is made carrion by his own deed,
  - H (2) he who pierces [the windpipe],
  - I (3) he who tears out [the windpipe],
  - J is free [of the obligation] to cover up [the blood].

- **6:3** A A deaf-mute, an imbecile, and a minor who slaughtered, and others oversee them [M. 1:1] are liable to cover up [the blood].
  - B [If they did so] all by themselves, they are free of liability to cover up [the blood].
  - C And so with regard to the matter of *it and its offspring*:
  - D [if] they have slaughtered and others oversee them, it is prohibited to slaughter [the offspring] after them.
  - E [If they did so] all by themselves,
  - F R. Meir permits [one] to slaughter [the offspring] after them.
  - G And sages prohibit.
  - H But they agree that if one has slaughtered [the offspring after the deaf-mute, imbecile, or minor has slaughtered the dam], he does not incur forty stripes.
- **6:4** A (1) [If] one has slaughtered a hundred wild beasts in one place, a single covering up of the blood [serves] for all of them.
  - B (2) [If one has slaughtered] a hundred birds in one place, a single covering up of the blood [serves] for all of them.
  - C (3) [If one has slaughtered] a wild beast and a bird in one place, a single covering up of the blood [serves] for all of them.
  - D R. Judah says, "[If] one has slaughtered a wild beast, he should cover up [its blood], and afterward let him slaughter the bird."
  - E [If] he slaughtered [a wild beast or a bird] and he did not cover up [its blood] and another person saw him, he [the other person] is liable to cover up [the blood].
  - F [If] he covered up [the blood] and it became uncovered, he is free of liability to cover it up [again].
  - G [If] the wind [blew dirt and] covered it up [and it became uncovered], he is liable to cover it up.
- **6:5** A Blood which was mixed with water,
  - B if it has the appearance of blood,
    - C one is liable to cover it up.
    - D [If] it was mixed with wine, they regard it as if it were water.
    - E [If] it was mixed up with blood of a [domesticated] beast or *with blood of a wild beast*, they regard it as if it were water.
  - F R. Judah says, "Blood does not annul blood."
- **6:6** A Blood which splashes and that which is on the knife,
  - B one is liable to cover it up.
  - C Said R. Judah, "Under what circumstances? When there is there only that blood. But [if] there is there blood other than that, he is free [of the liability] to cover it up."
- 6:7 A With what do they cover up [the blood], and with what do they not cover up the blood?
  - B They cover up the blood (1) with fine dung and (2) with fine sand and (3) with lime and (4) with [pieces of] potsherd and (5) with brick and (6) with the plug of a jar [both (5, (6) of] which one has crushed.
    - C But they do not cover up the blood either (1) with coarse dung or (2) with coarse sand or (3) with a brick or (4) with the plug of a jar neither [(3, (4) of] which one has crushed.
    - D And one should not turn a utensil over on it.

- E A general principle did Rabban Simeon b. Gamaliel state: "With something in which one grows plants, they cover it up, and with something in which one does not grow plants, they do not cover it up."
- 7:1 A [The prohibition of] the sinew of the hip [sciatic nerve, Gen. 32:32] applies (1) in the Land and outside of the Land, (2) in the time of the Temple and not in the time of the Temple, (3) to unconsecrated animals and to Holy Things.
  - B It applies (1) to domesticated cattle and to wild beasts, (2) to the right hip and to the left hip.
  - C But it does not apply (3) to a bird, because it has no hollow [of the thigh or spoon-shaped hip].
  - D And it applies to the foetus.
  - E R. Judah says, "It does not apply to the foetus."
  - F And its fat is permitted.
  - G "Butchers are not believed concerning the sinew of the hip," the words of R. Meir.
  - H And sages say, "They are believed (1) concerning it and (2) concerning the [forbidden] fat [Lev. 3:17, 7:23]."
- **7:2** A A man sends to a gentile a thigh in which the sinew of the hip [is located], because its place [presence] is known.
  - B He who removes the sinew of the hip must remove the whole of it.
  - C R. Judah says, "[He must remove only enough] to carry out therewith the requirement of removing [the sinew of the hip]."
- **7:3** A He who eats an olive's bulk of the sinew of the hip incurs forty stripes.
  - B [If] he ate it and it does not contain an olive's bulk, he is [nonetheless] liable.
    - C [If] he ate an olive's bulk of [the sinew of] this [hip] and an olive's bulk of that one, he incurs eighty stripes.
    - D R. Judah says, "He incurs only forty stripes."
- **7:4** I A A thigh with which the sinew of the hip [which was not removed] was cooked, if it [the sinew] is sufficient to impart a flavor [to the thigh], lo, this is prohibited.
  - B How do they estimate the matter?
  - C Like meat [cooked] with turnips.
- **7:5** II A The sinew of the hip which was cooked with [other] sinews, and one recognizes it—[it must be removed, and the remainder is prohibited if there is enough] to impart a flavor.
  - B And if [one does] not [recognize the presence of the sinew of the hip], all of them are prohibited [for any one might be the sciatic nerve].
  - C As to the broth, [it is prohibited if] it imparts a flavor.
  - III D And so with a piece of carrion, and so with a piece of unclean fish which were cooked with [other] pieces:
    - E When one recognizes their [presence], [they must be removed and the rest are forbidden if there is enough] to impart flavor.
    - F And if [one does] not [recognize their presence] they are all forbidden.
    - G As to the broth, [it is forbidden only if the carrient or unclean fish] imparts a flavor.

- **7:6** A [The prohibition of the sinew of the hip] applies to a clean [beast], but it does not apply to an unclean [beast].
  - B R. Judah says, "Also to an unclean one."
  - C Said R. Judah, "And is it not so that the sinew of the hip was prohibited to the children of Jacob, while an unclean beast still was permitted to them?"
  - D They said to him, "At Sinai was [the law] stated, but it was written down in its [present] place."
- 8:1 A Every [kind of] flesh [of cattle, wild beast, and fowl] is it prohibited to cook in milk,
  - B except for the flesh of fish and locusts.
  - C And it is prohibited to serve it up onto the table with cheese,
  - D except for the flesh of fish and locusts.
  - E He who vows [to abstain] from flesh is permitted [to make use of] the flesh of fish and locusts.
  - F "Fowl goes up onto the table with cheese, but it is not eaten," the words of the House of Shammai.
  - G And the House of Hillel say, "It does not go up, and it is not eaten."
  - H Said R. Yose, "This is one of the lenient rulings of the House of Shammai and the strict rulings of the House of Hillel" [M. Ed. 4:1, 5:2].
  - I Concerning what sort of table did they speak?
  - J Concerning a table on which one eats. But as to a table on which one lays out cooking, one puts this beside that and does not scruple.
- 8:2 A A man ties up meat and cheese in a single cloth,
  - B provided that they do not touch one another.
  - C Rabban Simeon b. Gamaliel says, "Two guests eat on one table, this one meat, and that one cheese, and they do not scruple."
- **8:3** A A drop of milk which fell on a piece [of meat], if it is sufficient to impart flavor to that piece [of meat]—it is prohibited.
  - B [If] one stirred the pot, if there is in it sufficient [milk] to impart flavor to that [entire] pot['s contents], it [the contents of the pot] is prohibited.
  - C The udder:
  - D one cuts it open and takes out its milk.
  - E [If] he did not cut it open, he does not transgress on that account.
  - F The heart:
  - G One cuts it open and takes out its blood.
  - H [If] he did not cut it open, he does not transgress on that account.
  - I He who serves up fowl with cheese on the table does not transgress a negative commandment.
- 8:4 A (1) The meat of clean cattle with the milk of a clean cattle—
  - B it is prohibited to cook [one with the other] or to derive benefit [therefrom].
    - C (2) The meat of clean cattle with the milk of an unclean cattle,
      - (3) the meat of unclean cattle with the milk of clean cattle—
    - D it is permitted to cook and permitted to derive benefit [therefrom].
    - E R. Aqiba says, "A wild beast and fowl [are] not [prohibited to be mixed with milk] by the Torah.

- F "For it is said, *You will not seethe a kid in its mother's milk* (Ex. 23:19, 34:26, Dt. 14:21) three times, [for the purpose of] excluding [from the prohibition of milk and meat] (1) the wild beast, (2) the bird, (3) and unclean cattle [= C]."
- G R. Yose the Galilean says, "It is said, *You will not eat any sort of carrion* (Dt. 14:21), and it is said, *You will not seethe the kid in its mother's* milk (Dt. 14:21)—
- H "[The meaning is this:] What is prohibited on the grounds of carrion [also] is prohibited to be cooked in milk.
- I "Fowl, which is prohibited on the grounds of carrion, is it possible that it is prohibited to be seethed in milk?
- J "Scripture says, *In its mother's* milk—excluding fowl, the mother of which does not have milk."
- **8:5** A [The milk in] the stomach of [a beast slaughtered by] a gentile [which is carrion, M. 1:1], and that [in the stomach of] carrion—lo, this is prohibited.
  - B He who curdles [milk] in the skin of the stomach of a valid[ly slaughtered beast], if it is sufficient to impart a flavor—lo, this [cheese] is prohibited.
  - C A valid beast which sucked from a *terefah* beast—[the milk in] its stomach is prohibited.
  - D A *terefah* beast which sucked from a valid beast—[the milk in] its stomach is permitted,
  - E [in both cases (C, D)] because [the milk remains] collected together in its intestines.
- **8:6** A A more strict rule applies to fat than to blood, and a more strict rule applies to blood than to fat.
  - B A more strict rule applies to fat:
  - C For as to fat: (1) the laws of sacrilege apply to it. And (2) they are liable on its account to the laws of refuse, remnant, and uncleanness,
  - D which is not the case with blood sacrilege: M. Me. 3:3.
  - E A more strict rule applies to blood, for [the law forbidding] blood applies to cattle, a wild beast, and a bird, whether unclean or clean.
  - F But [the prohibition of] fat applies only to a clean cattle alone.
- **9:1** A The (1) hide, and (2) grease, and (3) sediment, and (4) flayed-off meat, and (5) bones, and (6) sinews, and (7) horns and (8) hooves join together [with the meat to which they are attached to form the requisite volume] to impart food uncleanness, but [they do] not [join together to impart] uncleanness of carrion.
  - B Similarly:
  - C He who slaughters unclean cattle for a gentile, while it yet is writhing—
  - D it imparts food uncleanness, but [it does] not [impart] uncleanness of carrion—
  - E until it dies,
  - F or until one will cut off its head.
  - G [Scripture] has [prescribed] more [conditions] to impart food uncleanness than uncleanness of carrion.
  - H R. Judah says, "The flayed-off meat which was collected together, if there is the volume of an olive's bulk in one place—one is liable on its account [if one touched it and entered the Temple]."
- 9:2 A [In the case of] these, their skin [hide] is [deemed] equivalent to their meat:
  - B (1) the skin of man, and (2) the skin of a domesticated pig—
  - C R. Yose says, "Also: The hide of a wild boar"—

- D and (3) skin of the hump of a young camel, and (4) the skin of the head of a young calf, and (5) the skin of the hooves, and (6) the skin of the genitals, and (7) the skin of the foetus, and (8) the skin which is under the fat tail, and (9) the skin of the hedgehog, and the chameleon, and the lizard, and the snail.
- E R. Judah says, "The lizard is equivalent to the weasel."
- F And all of them which one tanned, or on which one trampled so [that they are fit for] use are clean [and do not impart food uncleanness],
- G except for the skin of man.
- H R. Yohanan b. Nuri says, "The eight creeping things [Lev. 11:29–30] have hides."
- **9:3** A He who flays
  - B a beast or a wild animal, whether clean or unclean,
  - C whether large or small
  - D for the purpose [of making] a covering enough for a hold [on the carcass];
  - E for the purpose of a waterskin until he will flay the beast;
  - F from the feet upwards—
  - it is wholly connected for uncleanness,
  - G for contracting uncleanness and for imparting uncleanness.
  - H Hide which is on the neck—
  - I R. Yohanan b. Nuri says, "It is not connected."
  - J And sages say, "It is connected,
  - K "until he will flay off the whole of it."
- 9:4 A Hide on which is an olive's bulk of [carrion] meat—
  - B he who [that which] touches the shred which juts forth from it or hair which is on the opposite side is unclean.
  - C "[If] there were on it two half-olive's bulks, it imparts uncleanness to the one who carries it, but not to the one who touched it," the words of R. Ishmael.
  - D R. Aqiba says, "Neither to the one who touches it nor to the one who carries it."
  - E And R. Aqiba agrees in the case of two half-olive's bulks [of meat] which one stuck onto a spindle and moved,
  - F that he is unclean.
  - G And on what account does R. Aqiba declare clean in the case of hide?
  - H Because the hide renders them negligible.
- **9:5** A The marrow bone of the corpse and the marrow bone of [invalidated] consecrated animals—
  - B he who touches them,
  - C whether [they are] stopped up or hollowed out,
  - D is unclean.
  - E The marrow bone of carrion and the marrow bone of a creeping thing—
  - F he who touches them,
  - G [if they are] stopped up,
  - H is clean.
  - I [If they are] hollowed out in any amount at all—
  - J they impart uncleanness to the one who touches them.

- K How do we know that also to the one who carries them [the marrow bones of carrion] [do they impart uncleanness]?
- L Scripture states, *He who touches and he who carries* (Lev. 11:39, (40).
- M That which enters the category of touching enters the category of carrying. That which does not enter the category of touching does not enter the category of carrying.
- **9:6** A The egg of a creeping thing [in which the foetus is] formed is clean.
  - B [If] it was pierced in any measure at all, it is unclean.
  - C A mouse, half of which is flesh and half dirt—
  - D he who touches the flesh is unclean.
  - E [He who touches] the dirt is clean.
  - F R. Judah says, "Also: He who touches the dirt which is over against the flesh is unclean."
- **9:7** A The dangling limb and flesh in the case of cattle impart food uncleanness [when they are] in their place [attached].
  - B And they require preparation [i.e. wetting down, to receive uncleanness].
  - C "[If] the cattle is slaughtered, they are deemed prepared through its blood [to receive uncleanness]," the words of R. Meir.
  - D And R. Simeon says, "They are not deemed prepared [to receive uncleanness,] since the act of slaughter, not blood, renders meat susceptible, and these are unaffected by slaughter (M. 2:5).
  - E "[If] the cattle died,
  - F "the flesh requires preparation [to receive uncleanness].
  - G "The limb imparts uncleanness as a limb cut from a living beast, and it does not impart uncleanness as a limb of carrion," the words of R. Meir.
  - H And R. Simeon declares clean.
- **9:8** A The dangling limb and flesh in the case of man are clean.
  - B [If] the man died, the flesh is clean.
  - C "The limb imparts uncleanness as a limb cut from a living creature, and it does not impart uncleanness as a limb of a corpse," the words of R. Meir.
  - D And R. Simeon declares clean.
- **10:1** A [The requirement to give to the priests] the shoulder, the two cheeks, and the maw [Dt. 18:3] applies (1) in the Land and outside of the Land, (2) in the time of the Temple and not in the time of the Temple, (3) to unconsecrated beasts, but not to consecrated beasts.
  - B For it [the contrary to A3] might have appeared logical: Now, if unconsecrated animals, which are not liable for the breast and thigh [which are taken from peace offerings for the priests, (Lev. 7:31)], are liable for the [priestly] gifts [of the shoulder, cheeks, and maw], Holy Things, which *are* liable for the breast and thigh, logically should be liable to the priestly gifts.
  - C Scripture therefore states, And I have given them to Aaron the priest and to his sons as a due for ever (Lev. 7:34)—
  - D he has a right [in consecrated beasts] only to that which is explicitly stated [namely, the breast and thigh].
- **10:2** A All Holy Things in which a permanent blemish occurred before they were sanctified, and which were redeemed,

- B (1) are liable to the law of the firstling and for priestly gifts,
- C (2) and they go forth for unconsecrated purposes, to be sheared and to be used for labor,
- D (3) and their offspring and their milk are permitted after they are redeemed,
- E (4) and he who slaughters them outside of the sanctuary is free [of liability to punishment],
- F (5) and they are not subject to the law of the substitute,
- G (6) and if they died, they [the carcasses] are redeemed,
- H except for the firstling and tithe.
- I All [Holy Things] in which a permanent blemish occurred after they were sanctified or in which a transient blemish occurred before they were sanctified, and afterward a permanent blemish appeared in them, and which were redeemed
- J (1) are free of the law of the firstling and of the priestly gifts,
- K (2) and they do not go forth for unconsecrated purposes, to be sheared and to be used for labor,
- L (3) and their offspring and their milk are prohibited after they are re deemed,
- M (4) and he who slaughters them outside is liable [Aqiba, M. Zeb. 9:3],
- N (5) and they are subject to the law of the substitute,
- O (6) and if they died, they are to be buried.
- **10:3** A [blemished] firstling which was mixed up among a hundred [other unconsecrated beasts]—
  - B when a hundred [people, in addition to the owner of the firstling] slaughter all [one hundred and one] of them,
  - C they render all of them free [of priestly dues].
  - D [If] one slaughters all of them, they free one for him.
  - E He who slaughters for a priest or for a gentile—it is free [of the requirement to give the priestly dues].
  - F And one who is a partner with them has to give some indication [that the animal is exempt from the priestly dues].
  - G And if [the priest or gentile who sold the beast to an Israelite] said, "[The beast is sold] except for the priestly gifts, he [the one who slaughters (D)] is free of the priestly gifts.
  - H [If] he said, "Sell me the intestines of the cow the maw]," and the priests' dues were in them, he gives them to the priest, and does not deduct their value from [what he pays] him.
  - I [If] he purchased it from him by weight, he gives them to the priest, and he does deduct their value [from what he pays] him.
- **10:4** A A convert who converted and had a cow— [if] it was slaughtered before he converted, it is free of priestly dues.
  - B [If it was slaughtered] after he converted, it is liable.
  - C [If it is a matter of] doubt, it is free of liability, for he who makes a claim against his fellow bears the burden of proof.
  - D What is the shoulder?
  - E From the joint to the shoulder socket of the foreleg.
  - F And that pertains also to the Nazirite [Num. 6:19].
  - G And the corresponding part in the hind leg is the thigh.
  - H R. Judah says, "The thigh is from the joint to the fleshy part of the hind leg."
  - I What is the cheek?
  - J From the joint of the jaw to the knob of the windpipe [the tip of the thyroid cartilage, the whole lower jaw and the tongue].

- **11:1** A [The requirement to give to the priest] the first of the fleece [Dt. 18:4] applies (1) in the Land and outside of the Land, (2) in the time of the Temple and not in the time of the Temple, (3) to unconsecrated beasts but not to consecrated beasts.
  - B A more strict rule applies to [the requirement to give to the priest] the shoulder and two cheeks and maw than applies to the first of the fleece:
  - C for the shoulder and two cheeks and maw apply to here and to flock, whether many or few,
  - D but the first of the fleece applies only to sheep, and applies only when they are many.
- **11:2** A And how many [must they be]?
  - B The House of Shammai say, "Two sheep, as it is written, A *man shall nourish a young cow and two sheep* (Is. 7:21)."
  - C And the House of Hillel say, "Five, as it is written, *And five sheep ready dressed* (I Sam. 25:18)."
  - D R. Dosa ben Harkinas says, "Five sheep each of which [produce] fleece [of the weight of] *a maneh* and a half are liable for the first of the fleece."
  - E And sages say, "Five sheep, however much fleece they may produce."
  - F And how much do they give him [the priest]?
  - G The weight equivalent to five *selas* in Judah, which are ten in Galilee,
  - H bleached, and not dirty,
  - I enough to make therewith a small garment,
  - J as it is said, *You will give him* (Dt. 18:4)—that there should be enough in it to constitute a gift.
  - K [If] he did not give it before he dyed it, he is free [of the obligation to give it].
  - L [If] he bleached it but did not dye it, he is liable.
  - M He who purchases the fleece of the flock of a gentile is exempt from the requirement to give the first of the fleece.
  - N He who purchases the fleece of the flock of his fellow—
  - O if the seller left [himself some fleece], the seller is liable.
  - P [If] he did not leave himself [some fleece], the buyer is liable.
  - Q [If] he had two kinds, dark and white,
  - R [if] he sold him the dark but not the white,
  - S [the fleece of] males but not of females,
  - T this one [the seller] gives in his own behalf, and that one [the buyer] gives in his own behalf.
- 12:1 A [The requirement to] let [the dam] go from the nest [Dt. 22:6–7] applies (1) in the Land and outside of the Land, (2) in the time of the Temple and not in the time of the Temple, (3) to unconsecrated [birds] but not to consecrated ones.
  - B A more strict rule applies to covering up the blood than to letting [the dam] go from the nest:
  - C For the requirement of covering up the blood applies (1) to a wild beast and to fowl, (2) to that which is captive and to that which is not captive.
  - D But letting [the dam] go from the nest applies only (1) to fowl and applies only (2) to that which is not captive.
  - E What is that which is not captive?
  - F For example, geese and fowl which make their nest in an orchard.
  - G But if they make their nest in the house (and so Herodian doves), one is free of the requirement of letting the dam go.

- **12:2** A An unclean bird is exempt from the requirement of letting the dam go.
  - B [If] an unclean bird sits on the eggs of a clean bird,
  - C or a clean bird sits on the eggs of an unclean bird,
  - D one is free of the requirement of letting the dam go.
  - E A cock partridge—
  - F R. Eliezer declares liable [to the law of letting the dam go].
  - G And sages exempt.
- 12:3 A [If the dam] was hovering [over the nest],
  - B when its wings touch the nest,
    - C one is liable to send forth the dam.
    - D [If] its wings are not touching the nest, he is exempt from the requirement to send forth the dam.
  - I E [If] there was there only one nestling or one egg, one is liable to send forth the dam,
    - F as it is said, A *bird's nest* (Dt. 22:6)—a bird's nest of any kind.
  - II G [If] there were there nestlings able to fly
    - H or spoiled eggs
    - I one is exempt from the requirement of sending forth the dam,
    - J as it is said, And the dam sitting upon the young or upon the eggs—
    - K Just as the nestlings are those likely to live, so the eggs must be those likely to live, excluding those which are spoiled.
    - L And just as the eggs require their dam, so the nestlings require their dam, excluding those which can fly.
  - III M [If] one sent it forth and it returned, even four or five times, he is liable [to send it forth again],
    - N as it is said, You shall surely send it forth.
  - IV O [If] one said, "Lo, I shall take the dam and send forth the young," he is liable to send forth [the dam],
    - P as it is said, You shall surely send forth the dam.
  - V Q [If] one took the young and then returned them to the nest and afterward the dam returned to them, he is free of the obligation to send forth [the dam from the nest].
- **12:4** A He who takes the dam with the young—
  - B R. Judah says, "He incurs flagellation, but he does not send forth [the dam]."
  - C And sages say, "He sends forth [the dam], but does not incur flagellation.
  - D "This is the general principle: For any negative commandment which encompasses an affirmative one to rise up and do something, one does not incur flagellation."
- A One should not take the dam with the young even for the purpose of purifying a *mesora*.
   B Now if concerning an unimportant commandment, [the loss incurred in the performance of] which is worth only an *issar*, Scripture has said, *That it may be well with you and that*
  - you may prolong your days [Dt. 22:7],
  - C how much the more so for the weightier commandments which are in the Torah [will reward be given].

## BEKHOROT

- **1:1** A (1) He who purchases the unborn offspring of the ass of a gentile,
  - (2) and he who sells it to him (even though one is not permitted to do so),
  - (3) and he who is a partner with him;
  - B (4) and [either] he who receives [asses] from him [under contract to rear them and share in the profit],

(5) and [or] he who delivers [asses] to him under contract [to rear them and share in the profit]—

- C it [the foetus, when born] is exempt from the law of the firstling,
- D since it is said, [All the firstborn] in Israel (Num. 3:13)—
- E but not [the firstborn produced] among others.
- F Priests and Levites are exempt [from the law of giving a lamb in redemption of the firstborn of an ass],
- G by an argument *a fortiori*:
- H If those of Israelites were exempted in the wilderness [by reason of the Levites, Num. 3:45], how much the more so should they exempt their own!
- **1:2** A A cow which bore [an offspring] like an ass, or an ass which bore [an offspring] like a horse—
  - B it [the offspring] is exempt from the law of the firstling,
  - C since it is said, *The firstling of an ass* (Ex. 13:13), *The firstling of an ass* (Ex. 34:20)—
  - D two times, [meaning that the rule applies] only when that which gives birth is an ass and that which is born is an ass.
  - E What is their rule as to eating?
  - F A clean beast which bore [an offspring] like an unclean beast—it [the offspring] is permitted as to eating.
  - G And an unclean beast which bore [an offspring] like a clean beast—it [the offspring] is prohibited as to eating.
  - H For that which comes forth from the unclean is unclean, and that which comes forth from the clean is clean.
  - I An unclean fish which swallowed a clean fish—it [the clean fish] is permitted as to eating.
  - J A clean fish which swallowed an unclean fish—it [the unclean fish] is prohibited as to eating,
  - K for it is not its product.

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- **1:3** I A An ass which had not given birth and which bore two males [and it is not known which of them came forth first]—
  - B one gives a single lamb to the priest.
  - C [If it bore] male and female [and it is not known which of them came forth first]—
  - D one separates a single lamb for himself.
  - E Two asses which had not given birth and which bore two males—
    - F one gives two lambs to the priest.
      - G [If they bore] (1) a male and a female or (2) two males and a female,
      - H one gives a single lamb to the priest.
      - I [If they bore] (1) two females and one male, (2) or two males and two females,
      - J there is nothing whatsoever here for the priest.
- **1:4** III A [Two asses], one [of which] had given birth and one which had not given birth, and which bore two males—
  - B one gives a single lamb to the priest.

- C [If they produced] a male and a female, one separates a single lamb for himself.
- D For it is said, And every firstling of an ass you shall redeem with a lamb (Ex. 34:20)—
- E (1) [a lamb deriving] from sheep or from goats,
- F (2) male or female,
- G (3) large or small,
- H (4) blemished or unblemished.
- I (1) And one redeems with it many times.
- J (2) And it enters the fold to be tithed.
- K (3) And if it dies, they derive benefit from it.
- **1:5** A They do not redeem [a firstling of an ass] with (1) a calf, or (2) with a wild beast, or (3) with an animal which has been properly slaughtered, or (4) with an animal which is *terefah, or* (5) with a hybrid [of a he-goat and a ewe], or (6) with *a koy* [the offspring of a he-goat and a hind].
  - B R. Eleazar permits in the case of a hybrid, because it is deemed a lamb, and prohibits in the case of the *koy*, because it is a matter of doubt [whether it is deemed a lamb].
  - C [If] one gave it [the offspring of an ass] to the priest, the priest is not permitted to keep it unless he will separate [set aside and designate] a lamb in its place.
- **1:6** A He who separates a redemption lamb for a firstborn of an ass and who died—
  - B R. Eliezer says, "(1) They [the heirs] are responsible for it [to give the redemption lamb to the priest], (2) as [the heirs are liable for] the five *selas* [paid in the redemption of the firstborn] son."
  - C And sages say, "(1) They are not liable for it [to give the redemption lamb to the priest],
     (2) as [the heirs are not liable in the case of] the redemption of second tithe."
  - D Testified R. Joshua and R. Sadoq concerning the redemption lamb which was set aside for the firstling of an ass [and] which had died,
  - E that there is nothing whatsoever for the priest here [= C].
  - F [If] the firstling [of an ass] died,
  - G R. Eliezer says, "It is to be buried. And [the owner] is permitted to derive benefit from the lamb [which had been set aside to redeem it]."
  - H And sages say, "It need not be buried. And the lamb belongs to the priest."
  - A [If] one did not want to redeem it [the firstling of an ass], he breaks its neck from behind with a hatchet, and buries it.
    - I B The requirement of redemption takes precedence over the requirement of breaking the neck,
      - C since it is said, *And if you will not redeem it, then you will break its neck* (Ex. 34:20).
      - D The requirement of espousing [a Hebrew bondwoman] takes precedence over the requirement of redemption,
        - E since it is said, So that he has not espoused her, then he shall let her be redeemed (Ex. 21:8).
    - III F The requirement of levirate marriage takes precedence over the ceremony of *halisah*
      - G at first, when they would consummate the levirate marriage for the sake of fulfilling a commandment.

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- H But now, that they do not consummate the levirate marriage for the sake of fulfilling a commandment, they have ruled:
- I The requirement of *halisah* takes precedence over the requirement of levirate marriage.
- J The requirement of redeeming [an unclean beast dedicated to the Temple] is incumbent upon the master.
- K He takes precedence over every other person [M. Ar. 8:2],
- L since it is said, [Then he shall ransom it ...] or if it is not redeemed, then it shall be sold according to thy estimation (Lev. 27:27).
- **2:1** A He who purchases the unborn offspring of the cow of a gentile,
  - (2) and he who sells it to him [even though one is not permitted to do so],
  - (3) and he who is a partner with him,
  - B (4) and he who receives [cows] from him
    - (5) and he who delivers [cows] to him under contract [to rear them and share in the profit]
  - C is exempt from the law of the firstling,
  - D since it is said, [All the firstborn] in Israel (Num. 3:13)—
  - E but not [the firstborn produced] among others.
  - F Priests and Levites are liable.
  - G They are not exempted from the law of the firstborn of a clean beast.
  - H But they are exempt only from the redemption of the firstborn son and from [the law of the firstling in regard to] the firstborn of an ass.
- **2:2** A All Holy Things, the permanent blemish of which came before their consecration, and which were redeemed
  - B are liable to the law of the firstling, and to the priestly gifts, and go forth for secular purposes, for shearing and for labor.
  - C And their offspring and their milk are permitted after their redemption.
  - D And he who slaughters them outside [the Temple court] is free of punishment.
  - E And they are not subject to the law of the substitute.
  - F And if they died, they are redeemed,
  - G except for the firstling and for tithe [of cattle].
- **2:3** A [All Holy Things], the consecration of which came before their blemish, or [in which was] a transient blemish before their consecration, and in which afterward a permanent blemish appeared, and which were redeemed
  - B are free of the law of the firstling, and from the priestly gifts, and do not go forth for secular purposes, for shearing and for labor.
  - C And their offspring and their milk are prohibited [even] after their redemption.
  - D And he who slaughters them outside is liable.
  - E And they are subject to the law of the substitute.
  - F And if they die, they are buried.
- **2:4** A He who receives [under contract to raise and share in the profits] a flock from a gentile on "iron terms"—
  - B the offspring are exempt [from the law of the firstling].
  - C But the offspring of the offspring are liable.
  - D [If the Israelite] had stipulated [that they] should stand in place of their mothers,

- E the offspring of the offspring are exempt.
- F And the offspring of the offspring of the offspring are liable.
- G Rabban Simeon b. Gamaliel says, "Even up to ten generations are they exempt,
- H "for the right [to lay claim to] them belongs to the gentile."
- **2:5** A A sheep which gave birth [to an offspring] something like a goat,
  - B or a goat which gave birth [to an offspring] something like a sheep—
  - C it [the offspring] is exempt from the law of the firstling.
  - D But if it bears some of the traits [of the mother], it is liable.
- **2:6** I A A sheep which had not given birth and which bore two males,
  - B and both of their heads emerged simultaneously—
  - C R. Yose the Galilean says, "Both of them belong to the priest,
  - D since it is said, *The males belong to the Lord* (Ex. 13:12)."
  - E And sages say, "It is not possible [for there to be simultaneous birth]. But:
  - F "One belongs to him and one to the priest."
  - G R. Tarfon says, "The priest selects for himself the better."
  - H R. Aqiba says, "They compromise between them" [with the one who takes the fatter giving the other half the excess value, so B. Bek. 18a].
  - I And as to the second, it pastures until it becomes blemished.
  - J And it is liable to the priestly gifts.
  - K R. Yose declares it exempt [from the priestly gifts].
  - L [If] one of them died,
  - M R. Tarfon says, "Let them divide [the value of the living one]."
  - N R. Aqiba says, "He who lays claim against his fellow bears the burden of proof."
  - O [If it bore simultaneously] a male and a female, there is nothing whatsoever for the priest here.
- **2:7** II A Two sheep which had not given birth and which bore two males—
  - B one gives both of them to the priest.
  - C [If they bore] a male and a female, the male goes to the priest.
  - D [If they bore] two males and a female, one of them goes to him [the owner] and one to the priest.
  - E R. Tarfon says, "The priest selects the better of them for himself."
  - F R. Aqiba says, "They compromise between them."
  - G And as to the second: it pastures until it is blemished.
  - H And it is liable for priestly gifts.
  - I R. Yose declares it exempt [from priestly gifts].
  - J [If] one of them died,
  - K R. Tarfon says, "They divide it."
  - L R. Aqiba says, "He who lays claim against his fellow bears the burden of proof."
  - M [If they bore] two females and a male or two males and two females,
  - N there is nothing whatsoever for the priest here.
- **2:8** III A [Two, of which] one had given birth and one had not given birth, which bore two males—
  - B one is for him and one for the priest.
  - C R. Tarfon says, "The priest selects for himself the better of the two."

- D R. Aqiba says, "They compromise between them."
- E And as to the second: it pastures until it is blemished.
- F And it is liable for the priestly gifts.
- G R. Yose declares exempt.
- H For R. Yose did rule:
- I "Any [animal] the exchange of which is in the hand of a priest is free of the obligation to priestly gifts."
- J R. Meir declares liable [= F].
- K [If] one of them died,
- L R. Tarfon says, "They divide it."
- M R. Aqiba says, "He who lays claim against his fellow bears the burden of proof."
- N [If they bore] male and female,
- O there is nothing whatsoever for the priest here.
- **2:9** A A beast born from the side and that which comes after it—
  - B R. Tarfon says, "Both of them pasture until they are blemished.
  - C "And they are eaten by the owner when blemished."
  - D R. Aqiba says, "Both of them are not subject to the law of the firstling:
  - E "The first, because it is not that which opens the womb,
  - F "and the second, because the other came before it."
- **3:1** A He who purchases a beast from a gentile,
  - B and it is not known whether it has given birth or whether it has not given birth—
  - C R. Ishmael says, "A goat a year old [which produced an offspring]—it belongs to the priest.
  - D "From that age and onward it is a matter of doubt [whether or not the offspring is a firstborn].
  - E "A sheep two years old [which produced an offspring]—it certainly belongs to the priest.
  - F "From that age and onward it is a matter of doubt.
  - G "A cow and an ass three years old [which produced offspring]—they certainly belong to the priest.
  - H "From that age and onward it is a matter of doubt."
  - I Said to him R. Aqiba, "If by the offspring alone [and not by a discharge] the beast were exempted [from the law of the firstling], it would be in accord with your words.
  - J "But they have said:
  - K "The token of [having given birth to] an offspring
  - L "in a small beast is womb discharge.
  - M "In a large beast is afterbirth.
  - N "And in a woman are the foetus sack and afterbirth."
  - O This is the general principle:
  - P [In the case of] any [beast] of which it is known that it has given birth, the priest has nothing whatsoever here.
  - Q And [in the case of] any beast [of which it is known] that it has not given birth, lo, this goes to the priest.
  - R If it is a matter of doubt, let it be eaten by the owner when it is blemished.
  - S R. Eliezer b. Jacob says, "A large beast which discharged a clot of blood—lo, this [the clot] is to be buried. And it is exempted from the law of the firstling."

- **3:2** A Rabban Simeon b. Gamaliel says, "He who purchases from a gentile a beast that was nursing does not scruple lest it [the sucking animal] be the offspring of another [beast].
  - B "[If] he went into his fold and saw beasts which had not previously given birth nursing, and those which had previously given birth nursing, he does not scruple lest the offspring of one has come to another or that the offspring of the other has come to this one."
- **3:3** A R. Yose b. Meshullam says, "He who slaughters the firstling makes a place with the hatchet on either side and pulls out the hair.
  - B "And [this is so] on condition that he does not remove it [the wool] from its place."
  - C And so he who pulls up the hair to examine the place of a blemish.
- **3:4** A "The hair of a blemished firstling which fell out, and which one put in a wall niche, and which [firstling] one afterward slaughtered—
  - B "Aqabya b. Mahallel permits, and sages prohibit," the words of R. Judah.
  - C Said R. Yose, "Not in this case did Aqabya declare permitted, but in the case of:
  - D "The hair of a blemished firstling which fell out, and which one put in a wall niche, and which [firstling] afterward died—
  - E "in this case
    - "Aqabya b. Mahallel permits and sages prohibit."
  - F The wool which dangles from a firstling['s hide after the firstling is slaughtered]—
  - G that which appears [distinct] from the [rest of the] wool is permitted. And that which does not appear [distinct] from the [rest of the] wool is prohibited.
- **4:1** A How long are Israelites liable to tend to the firstling [before handing it over to the priest]?
  - B In the case of a small beast, for thirty days.
  - C And in the case of a large beast, for fifty days.
  - D R. Yose says." In the case of a small one, three months."
  - E [If] the priest said to him during this period." Give it to me," lo, this one does not give it to him.
  - F If it was blemished, [if] he said to him." Give it to me that I might eat it," it is permitted.
  - G And in the time of the Temple, if it was perfect, [if] he said to him." Give it to me that I may offer it up," it is permitted.
  - H The firstling is eaten within a year, whether it is unblemished or blemished,
  - I since it is said, *Before the Lord your God will you eat it year by year* (Dt. 15:20).
- **4:2** A [If] a blemish appeared in it during its first year, it is permitted to keep it for the whole twelve months.
  - B [If a blemish appeared in it] after its first year, it is permitted to keep it only for thirty days.
- **4:3** A He who slaughters a firstling and [then] shows its blemish [to an expert]—
  - B R. Judah permits.
  - C R. Meir says, "Since it was slaughtered not at the authority of an expert,
  - D "it is prohibited."
- **4:4** A He who was not an expert and examined the firstling, (and) which was slaughtered on his instructions—
  - B lo, this [firstling] is to be buried.
  - C And he [the amateur] pays from his own funds.

- D [If] one [who was not an expert] judged a case, declaring the liable person to be free of liability, declaring the person free of liability to be liable, declaring what is clean to be unclean, declaring what is unclean to be clean—
- E what he has done is done.
- F And he pays from his own funds.
- G But if he was an expert recognized by a court, he is free from the liability of paying.
- H *M'SH B*: The womb of a cow was removed. And R. Tarfon had it [the cow] fed to the dogs.
- I The case came before sages, and they declared it permitted.
- J Said Todos, the Physician, "Neither a cow nor a pig leaves Alexandria without their ripping out its womb, so that it will not bear offspring."
- K Said R. Tarfon, "There goes your ass, Tarfon."
- L Said to him R. Aqiba, "Rabbi Tarfon, you are exempt, for you are an expert recognized by a court.
- M "And any expert recognized by a court is free from the liability of paying."
- **4:5** A He who takes payment for examining firstlings—
  - B they do not slaughter upon his advice [a blemished firstling],
  - C unless he was an expert like Ila in Yavneh,
  - D whom sages permitted to receive four *issars* for [examining] a small beast, and six for a large one,
  - E whether [he ruled it to be] unblemished or blemished.
- **4:6** I A He who takes payment for judging—
  - B his judgments are null.
  - II C [He who takes payment] for testifying—
    - D his testimony is null.
  - III E [He who takes payment] to sprinkle [purification water on one made unclean by a corpse] and to mix [ash of a red cow with water for the purpose of making purification water]—
    - F his water is cave water, and his ash is hearth ash [null and useless].
    - G If he was a priest, and [by examining the beast] he was made unclean for [eating] his heave offering, one feeds him [ordinary food] and gives him to drink and anoints him.
    - H And if he was an elder, one puts him up on an ass and gives him a wage in accord with that paid to a day laborer.
- **4:7** I A He who is suspected [of breaking] the law of firstlings—
  - B they do not purchase from him meat of gazelles or untanned hides.
  - C R. Eliezer says, "They purchase from him hide of a female."
  - D And they do not purchase from him bleached wool or dirty [wool].
  - E But they purchase from him spun wool and [wool made into] garments.
- **4:8** II A He who is suspected [of transgressing] the Seventh Year—
  - B they do not purchase from him flax,
  - C and even if it is combed.
  - D But they purchase from him spun flax and woven [flax].

- **4:9** III A "He who is suspected of selling heave offering as unconsecrated food
  - B "they do not purchase from him even water or salt," the words of R. Judah.
  - C R. Simeon says, "Whatever is subject to the rules of heave offerings and tithes they do not purchase from him."
- **4:10** A He who is suspected of [violating] the Seventh Year is not suspected on account of tithes.
  - B He who is suspected on account of tithes is not suspected on account of [violating] the Seventh Year.
  - C He who is suspected both in this regard and in that regard is suspected in regard to [observance of the law of] purities.
  - D And there is he who is suspected on account of [violating] the laws of purities but is not suspected either on this account or on that account.
  - E This is the general principle: Whoever is suspected on account of any matter does not make judgments nor testify concerning that matter.
- **5:1** A All invalidated Holy Things [after they have been redeemed] are sold in the marketplace,
  - B and are slaughtered in the marketplace,
  - C and are weighed by the *litra*,
  - D except for the [blemished] firstling and tithe of cattle.
  - E For the advantage [of selling them in the market, where demand is higher, would fall] to the owner.
  - F Invalidated Holy Things—their advantage [falls] to the sanctuary.
  - G But: they weigh a *maneh* against a *maneh* in the case of the meat of the firstling.
- **5:2** A The House of Shammai say, "An Israelite is not numbered with a priest [for eating] a firstling."
  - B And the House of Hillel permit,
  - C and even in the case of a gentile.
  - D A firstling which suffered from a congestion of blood, even though [if one does not let blood] it [may] die—
  - E "they do not draw blood from it," the words of R. Judah.
  - F And sages say, "One draws blood from it,
  - G "on condition that one not make a blemish in it.
  - H "And if he made a blemish in it, lo, this one should not be slaughtered on that account."
  - I R. Simeon says, "One draws blood from it,
  - J "even though one make a blemish in it thereby."
- **5:3** A He who slit the ear of the firstling—
  - B "Lo, this should never be slaughtered [by reason of a blemish]," the words of R. Eliezer.
  - C And sages say, "When another blemish will appear in it, it is slaughtered on its account."
  - D *M'SH B*: An old ram, with its hair dangling. A *quaestor* saw it.
  - E He said, "What sort of thing is this?"
  - F They said to him, "It is a firstling. And it is slaughtered only if there is a blemish on it."
  - G He took a dagger and slit its ear.
  - H And the case came before sages, and they declared it permitted.
  - I He saw that they permitted fit] and went and tore the ears of other firstlings.
  - J And they declared [them] prohibited.

- Κ One time children were playing in the field, and they tied the tails of lambs to one another. And the tail of one of them split off. And lo, it was a firstling.
- And the case came before sages, and they declared it permitted. L
- They saw that they declared it permitted, and they went and tied together the tails of other Μ firstlings.
- Ν And they declared [them] prohibited.
- 0 This is the general principle: Anything [done] deliberately—it is prohibited. And anything [done] unintentionally—it is permitted.
- 5:4 [If] a firstling was running after him, and he kicked it and made a blemish in it— А
  - В lo, this is slaughtered on that account.
  - Any blemishes which are likely to happen at the hands of man-С
  - Israelite shepherds are believed [to testify that the blemishes came about unintentionally]. D
  - But priestly shepherds are not believed. Ε
  - F Rabban Simeon b. Gamaliel says, "He [a priest] is believed concerning another's [firstling] but not concerning his own."
  - R. Meir says, "He who is suspect in a given matter neither judges nor bears witness in that G matter."
- 5:5 A priest is believed to state, "I showed this firstling [to an expert] and [he ruled that] it is А blemished."
  - All are believed [to testify] concerning blemishes of tithe of cattle [that they were not В deliberately caused].
  - A firstling, the eye of which is blinded, С
  - the hoof of which is cut off, D
  - E the hind leg of which is broken—
  - F lo, this is slaughtered on the advice of three members of the congregation [M. Zab. 3:2].
  - R. Yose says, "Even if there are twenty-three there, he is to be slaughtered only on the G advice of an expert."
- 5:6 А He who slaughters the firstling and sold it, and it becomes known that he did not show it [to an expert]—
  - В that which they [the purchasers] have eaten, they have eaten.
  - С And he returns to them the cost [of the meat].
  - D And [as to] what they have not eaten-
  - the meat is to be buried. E
  - F And he returns to them the cost [what they paid for it].
  - G And so: He who slaughters a cow and sold it and it becomes known that it is *terefah*—
  - Η what they have eaten, they have eaten.
  - And [as a penalty] he returns to them the cost. Ι
  - And [as to] what they have not eaten-J
  - Κ they return the meat.
  - And he returns their money. L
  - Μ [If] they sold it to gentiles or tossed it to the dogs, they return to him the value of the *terefah* [meat, which is cheap, and he repays the difference between what they paid and what they received].
- 6:1 А On account of these blemishes do they slaughter the firstling:

	Ι	B C D E	<ul> <li>(1) [If] its ear is damaged in the gristle but not in the skin [earlap];</li> <li>(2) [if] it is slit, even though there is no loss;</li> <li>(3) [if] it has a hole as big as a vetch, or (4) [If] it is dried up.</li> <li>What is the meaning of 'dried up'?</li> <li>Any which, if pierced, does not produce a drop of blood.</li> <li>R. Yose b. Meshullam says, "So dried up that it crumbles."</li> </ul>
6:2	II	А	(1) The eyelid which is perforated, (2) which is demograd. (2) which is alit
	III	В	<ul> <li>(2) which is damaged, (3) which is slit.</li> <li>Lo, [if] in its eyes is (1) a cataract, (2) a commingling, (3) a snail shaped [growth],</li> <li>(4) a snake-shaped [growth], and (5) a berry-shaped [growth].</li> </ul>
		С	What is the meaning of 'commingling'?
		D	The white breaks through the ring and enters the black.
		Ē	In the case of the black's entering the white, it is not a blemish, for blemishes do not affect the white [of the eye].
6:3	IV	А	(1) A white cataract and (2) rheum which are lasting [constantly drip].
		В	What is a white cataract which is lasting?
		С	Any which remained eighty days.
		D	R. Hananiah b. Antigonos says, "They examine it three times in eighty days.
		E	What is rheum which is lasting?
		F	[If] it ate fresh or dry [fodder] from rain [watered fields], [and the water in the eye remained—this is rheum which is lasting].
		G	[If it ate] fresh or dry [fodder] from irrigated [watered fields],
		Н	it ate dry [fodder] and afterward ate fresh [and the water remained in the eyes],
		Ι	it is not a blemish—
		J	unless it ate dry [fodder] after fresh [fodder].
6:4	V	А	<ol> <li>(1) Its nose which is perforated,</li> <li>(2) which is damaged,</li> <li>(3) which is slit.</li> </ol>
	VI	В	Its lip (1) which is perforated,
	. –	_	(2) which is damaged,
			(3) which is slit.
	VII	С	(1) Its front teeth [incisors] which are damaged,
			(2) or worn down;
		D	(3) and the back ones [molars] which are uprooted.
		Е	R. Hananiah b. Antigonos says, "They do not examine the double teeth backward,
		F	"or even the double teeth [themselves]."
6:5	VIII	А	[if] the sheath [of the male organ] is damaged
		В	or the female organ in female beasts in the case of Holy Things.
	IX	С	(1) [If] the tail is damaged at the bone but not at the joint;
			or (2) [if] the root [end] of the tail has a divided bone,
			or (3) [if] there is a finger's breadth of flesh between one link [of the tail] and the next link.

6:6	Х	A B	[If] it has no testicles,			
		Б С	or has only one testicle. R. Ishmael says, "If it has two pouches, it has two testicles. [If] it has			
		D	only one pouch, it has only one testicle." R. Aqiba says, "One sets it on its buttocks and squeezes: if there is a testicle there, it ultimately will descend."			
		E F	M SH S: One squeezed and it did not descend. And it was slaughtered. And it [the testicle] was found cleaving to the			
		G	groin. And R. Aqiba declared the beast permitted, and R. Yohanan b. Nuri prohibited [it].			
6:7	XI	A	A beast with five legs,			
		В	or which has only three;			
	XII	С	one the legs of which are closed [not cloven], like those of the ass;			
	XIII	D	and one with a dislocated hip;			
	XIV	E	and one with a deformed hip.			
		F	What is one with a dislocated hip?			
		G	That the thigh bone has slipped [from its socket].			
		Η	And deformed?			
		Ι	That one of its hips is higher [than the other].			
6:8	XV	А	[If] a bone in the foreleg is broken,			
		В	or a bone in the hind leg,			
		С	even if it is not visible.			
		D	These blemishes did Ila list in Yavneh.			
		E	And sages concurred with him.			
		F	And three more did he add.			
		G	They said to him, "We have not heard these."			
	XVI	Н	(1) That [beast] the eye of which is round like that of a man;			
	XVII		(2) and the mouth of which is like that of a pig;			
	XVIII		(3) and that, the greater part of foretongue of which is removed.			
		Ι	And the court which succeeded them said, "Lo, these are deemed blemishes."			
6:9	А	M'SH	S: The lower jaw stretched beyond the upper one $[= M. 6:8H2]$ .			
	В	And Rabban Simeon b. Gamaliel consulted sages.				
	С	And they said, "Lo, this is a blemish."				
	D	The ea	ar of a kid which was doubled up—			
	Е	Sages said, "When it is all a single bone, it is a blemish.				
	F	"And if it is not all a single bone, it is not a blemish."				
	G	R. Hananiah b. Gamaliel says, "The tail of a kid which is like that of a pig,				
	Η	"and that which does not have three links [vertebrae]—				
	Ι	"lo, th	is is a blemish."			
6:10	Ι	А	R. Hananiah b. Antigonos says, "[If] it has a wart in its eye;			
	II	В	"and [if] the bone of its foreleg was damaged;			
		С	"and the bone of its hind leg;			
	III	D	"and [if] the bone of the mouth of which is severed;			

- IV E and [if] one eye is large and one small,
  - F and [if] one ear is large and one small—
    - G "in appearance [upon visual examination] but not by [actual] measure."
    - H R. Judah says, "[If] one of its testicles is twice as large as its fellow."
    - I And sages did not concur with him.
- **6:11** A The calf's tail which does not reach the knee joint— [it is a blemish].
  - B Sages said, "Through the whole period of growth of calves it is so.
  - C "All the time that they are growing, they grow longer [so the tail always reaches the knee joint]."
  - D To what joint did they refer?

V

- E R. Hananiah b. Antigonos says, "To the joint in the middle of the thigh."
- F On account of these blemishes do they slaughter the firstling.
- G And invalidated Holy Things are redeemed on their account.
- **6:12** A These are the ones on account of which they do not slaughter [firstlings] either in the sanctuary or in the provinces:
  - B (1) a white cataract or rheum [in the eye] which are not lasting [by contrast to M. 6:3A];
    (2) and back teeth that are damaged but are not uprooted [by contrast to M. 6:4D];
    - (3) and [a beast] with scurvy;
    - (4) and [a beast] with warts;
    - (5) and [a beast] with lichen [Lev. 22:22];
    - (6) and an old [beast] [M. Par. 1:2];
    - (7) and a sick [beast];
    - (8) and a smelly [beast];
    - (9) and a beast on which a bestial transgression was committed [M. Zeb. 8:1];
    - (10) and one which killed a man, according to the testimony of a single
    - witness or according to the testimony of the owner;
  - C (11) and a beast of doubtful sex;
    - (12) and a beast of double sex—
  - D neither in the sanctuary nor in the provinces.
  - E R. Ishmael says, "There is no greater blemish than that C 11–12]."
  - F And sages say, "It [C 12] is not deemed a firstling [at all], but it may be sheared and used for labor."
- **7:1** A These blemishes, whether permanent or transient, disqualify man [from serving in the Temple].
  - B In addition to them in the case of man:
    - (1) the one whose head is wedge-shaped,
    - (2) or turnip-shaped,
    - (3) or hammer-shaped.
    - (4) And the one whose head is sunk in,
    - (5) or flat on the back.
  - C Humpbacks—
  - D R. Judah declares valid.
  - E And sages declare invalid.
- **7:2** A The baldheaded man is invalid.

- B What is the baldheaded man?
- C Any who does not have a row of hair going round from ear to ear.
- D But if he has, lo, this one is valid.
- E [If] he does not have eyebrows,
- F [or] if he has only one eyebrow,
- G he is that *gibben* [Lev. 14:9] of which the Torah speaks.
- H R. Dosa says, "Any whose eyebrows hang down."
- I R. Hananiah b. Antigonos says, "He who has two backs and two backbones."
- **7:3** A The man who is flat-nosed is invalid.
  - B What is the man who is flat-nosed?
  - C He who paints both eyes in one movement.
  - D [If] (1) both eyes are above, or (2) both eyes are below, or (3) one eye is above and one eye is below [so that] he sees the room and the attic simultaneously,
  - E (1) those who cover [their eyes from] the sun,
  - F (2) [if he has] unmatched [eyes],
  - G (3) [if he has] bleary [eyes], [he is disqualified].
  - H And he whose eyelashes have fallen out is invalid,
  - I for appearance's sake.
- **7:4** A (1) [If] his eyes are as large as those of a calf,
  - B (2) or as small as those of a goose,
  - C (3) [if] his body is too big for his limbs,
  - D (4) or too small for his limbs,
  - E (5) [if] his nose is too big for his limbs,
  - F (6) or too small for his limbs—[he is disqualified].
  - G [If he is] simmem *or simmea*—[he is disqualified].
  - H What is the meaning of *simmea*?
  - I That his ears are too small.
  - J And of *simmem*?
  - K That his ears look like sponges.
- **7:5** A (1) [If] his upper lip stuck out over the lower,
  - B (2) or the lower stuck out over the upper,
    - C lo, this is a blemish.
    - D And [if] his teeth are taken out, he is invalid, for appearance's sake.
    - E (1) If his breasts lie like those of a woman,
    - F (2) [if] his belly is swollen,
    - G (3) [if] his belly button protrudes,
    - H (4) [if] he is smitten with epilepsy, even once in a while,
    - I (5) [if] lockjaw affects him,
    - J (6) the one whose testicles are too large,
    - K (7) and the one whose penis is too large,
    - L (8) [if] he has no testicles [M. 6:6],
    - M (9) or has only one testicle
    - N this is *he that has his stones broken* (Lev. 21:20) of which the Torah speaks.
  - O R. Ishmael says, "[Scripture refers to] any whose testicles are crushed."
  - P R. Aqiba says, "[Scripture refers to] any who has wind in his testicles."

- Q R. Hananiah b. Antigonos says, "Any whose complexion is very dark."
- **7:6** A (1) He who knocks together his ankles or his knees,
  - B (2) and one who has swellings [in the feet],
  - C (3) and one who is bowlegged.
  - D Who is bowlegged?
  - E Any who puts together his soles and whose knees do not touch one another.
  - F (1) [If] he has a swelling on the big toe,
  - G (2) [if] his heel juts out backward,
  - H (3) [if] his sole is as wide as that of a goose,
  - I (4) [if] his toes lie one above the other,
  - J (5) or are webbed to the middle joint,
  - K he is valid.
  - L [If] they are webbed] below the middle joint [at the toes] and one cut it [the tissue], he is valid.
  - M [If] there was an extra finger on him and he cut it off, if there is a bone in it, he is invalid. And if not, he is valid.
  - N [If] he has excess on his hands and feet—six in each limb, twenty-four in all—
  - O R. Judah declares valid.
  - P And sages declare invalid.
  - Q He who is ambidextrous—
  - R Rabbi declares invalid.
  - S And sages declare valid.
  - T The (1) swarthy, and (2) the red-skinned, and (3) the albino, and (4) the giant, and (5) the dwarf, and (6) the deaf-mute, and (7) the imbecile, and (8) the drunkard, and (9) the one who has clean *negaim*
  - U are invalid among men, and valid among beasts.
  - V Rabban Simeon b. Gamaliel says, "An imbecile among beasts is not the choicest."
  - W R. Eliezer says, "Also: those who have dangling warts
  - X. "are invalid among men, and valid among beasts."
- **7:7** A These are valid among men and invalid among beasts:
  - B (1) progenitor and his offspring [M. Hul. 5:1]
  - C (2) and a *terefah*,
  - D (3) and one born from the side,
  - E (4) and that upon whom a sin was committed,
  - F (5) and one who killed a man.
  - G He who marries women that are forbidden is invalid until he will vow not to derive benefit.
  - H And he who contracts corpse uncleanness is invalid until he will undertake not to contract corpse uncleanness.
- **8:1** I A There is a firstborn in respect to inheritance, who is not a firstborn in respect to the priest,
  - II B a firstborn in respect to the priest who is not a firstborn in respect to inheritance,
  - III C a firstborn in respect to inheritance and in respect to the priest,
  - IV D and there is one who is not a firstborn either in respect to inheritance or in respect to the priest.

- Ε Who is he who is a firstborn in respect to inheritance and not a firstborn in respect to the priest?
  - F (1) He who comes after an untimely birth whose head emerged alive, (2) or [after] a nine-month-old birth the head of which emerged [but which was] dead.
  - G "and [he who comes after] an abortion which was like a beast, a wild animal, or a bird," the words of R. Meir.
  - And sages say, "Only if [the abortion] bears the appearance of man." Η
  - (3) She who aborts a sandal, an afterbirth, or a fully formed foetus, and that which Ι goes forth in pieces—
  - J that which is born after them is a firstling in respect to inheritance but not a firstling in respect to the priest.
  - Κ (1) He who had no children and who married a woman who already had given birth-
  - (2) [or] if she was a bondwoman and then made free, L
  - (3) a gentile and converted, Μ
  - after she came to the Israelite, she gave birth, Ν
  - Ο he is a firstborn in respect to inheritance but not a firstborn in respect to the priest.
  - R. Yose the Galilean says, "He is a firstborn for inheritance and for the priest, Р
  - Q "since it is said, Whatsoever opens the womb among the children of Israel (Ex. 13:2)—[this is applicable] once they [the offspring] will open the womb of Israelites].
- Π R He who had children, and who married
  - (1) a woman who had not given birth,
  - S (2) she converted when pregnant,
  - Т (3) [or if] she was freed when pregnant,
  - U (1) [if] there gave birth she and a priest's wife [and the babies were mixed up],
  - V (2) she and a Levite's wife [and the babies were mixed up],
  - W (3) she and a woman who had already given birth [and the babies were mixed up],
  - and so she who did not wait after her husband['s death] for three months but got Х married and gave birth-
  - Y [so] it is not known whether it is an offspring at nine months attributed to the first husband or at seven months attributed to the second-
  - Ζ it is a firstborn in respect to the priest but not a firstborn in respect to inheritance.
  - Who is he who is a firstborn in respect to inheritance and in respect to the priest? AA
  - BB (1) She who aborts a foetus filled with blood, filled with water, filled with variegated matter.
    - CC (2) she who aborts something like fish, locusts, insects, or creeping things,
    - DD (3) she who aborts on [up to] the fortieth day [after conception]
    - EE he who comes after them is a firstling in respect to inheritance and in respect to the priest.

IV That which goes forth from the side and that which comes after it А

- both of them are neither a firstborn in respect to inheritance nor in respect to the В priest [M. 2:9].
- R. Simeon says, "The first is [a firstborn] in respect to inheritance. С
- "And the second is [a firstborn] in respect to the five selas [to be paid to the D priest].

8:2

III

I

- **8:3** 1 A He whose wife had not given birth and [whose wife] gave birth to two males
  - B gives five *selas* to the priest.
  - C [If] one of them died during the first thirty days [after birth],
  - D the father is exempt [from the obligation to give five *selas* to the priest].
  - E [If] the father died and the sons live,
  - F Meir says, "If they had given [the five *selas*] before they divided [the inheritance], they have given it. [The priest keeps it, since one of the two is surely liable as firstborn].
  - G "And if not, they are exempt. [We do not know which one is liable to pay the money]."
  - H R. Judah says, "The estate is liable. [The father is in any case liable for the five *selas*]."
  - I [If she bore] male and female, there is nothing whatsoever here for the priest.
- 8:4 II A Two women [married to the same man] who had not given birth and who bore two males—
  - B he [the father] gives ten *selas* to the priest.
  - C [If] one of them died during the first thirty days [after birth], if [the father] had given [the ten *selas*] to one priest, he [the priest] returns five *selas* to him [the father].
  - D If he had given [the ten *selas*] to two priests, he cannot recover [the funds] from their hand.
  - E [If they bore] a male and a female,
  - F or two males and a female,
  - G he gives five *selas* to the priest.
  - H [If they bore] two females and a male,
  - I or two males and two females,
  - J there is nothing whatsoever here for the priest.
  - III K [If] one had given birth and one had not given birth, and they bore two males,
    - L he [the father] gives five *selas* to the priest.
    - M [If] one of them died during the first thirty days after birth, the father is exempt.
    - N [If] the father died, and the sons live,
    - O R. Meir says, "If they had given [the five *selas*] before they dividedm [the inheritance], they have given [them].
    - P "And if not, they are exempt."
    - Q R. Judah says, "The estate is liable."
    - R [If they bore] male and female, there is nothing whatsoever here for the priest.

# 8:5 IV A Two wives of two men, who had not given birth, and who gave birth to two males—

- B this one gives five *selas* to the priest, and that one gives five *selas* to the priest.
- C [If] one of them died during the first thirty days [after birth],
- D if they had given [the five *selas*] to one priest,
- E he returns the five *selas* to them.
- F If they had given [the five *selas*] to two priests, they cannot recover [the funds] from their hand.
- G [If they gave birth to] a male and a female, the fathers are exempt.
- H But the son is liable to redeem himself.
- I [If they gave birth] to two females and a male or to two males and two females,

J there is nothing whatsoever here for the priest.

#### 8:6 V

- A [If] one had given birth and one had not given birth, to two men,
- B and they gave birth to two males,
- C this one whose wife had not given birth gives five *selas* to the priest.
- D [If they gave birth to] a male and a female [and the children were mixed up], there is nothing whatsoever here for the priest.
- E [If] the son died during the first thirty days [after birth], even though he [the father] had given to the priest [five *selas*], he returns to him the five *selas*.
- F [If he died] after thirty days, even though he [the father] had not given [*five selas* to the priest], he gives [five *selas* to the priest].
- G [If the male] died on the thirtieth day, it is deemed equivalent to the day before it [the twenty-ninth, and the father owes nothing].
- H R. Aqiba says, "If he gave [the five *selas*, but the son died on the thirtieth day], he [the father] should not take [the money back].
- I "And if he did not give [over the five *selas*], he [the father] should not give [over the five *selas*]."
- J [If] the father died during the thirty days [and it is not known whether or not he had redeemed the firstborn male], it is assumed that he [the firstborn] has not been redeemed until one will bring proof that he has been redeemed.
- K [If the father died] after thirty days, it is assumed that he has been redeemed,
- L until they will tell him that he has not been redeemed.
- M [If a man who was firstborn son had a firstborn son and was told that he had not been redeemed so that he is] to redeem himself and [he is] to redeem his son,
- N he comes before his son.
- O R. Judah says, "His son comes before him.
- P "For the requirement of redeeming him [the father] falls upon *his* father, while the requirement of redeeming his son falls on him."
- **8:7** A The five *selas* for redeeming the firstborn son are in Tyrian coinage.
  - B (1) The thirty for the slave [Ex. 21:32], and (2) the fifty to be paid by the rapist and seducer [Ex. 22:15–16, Dt. 22:28–29], and (3) the hundred to be paid by the gossip [Dt. 22:19]—
     C all are to be paid in the value of *shekels* of the sanctuary,
  - D in Tyrian coinage.
  - E And everything which is to be redeemed [is redeemed] in silver or its equivalent, except for *shekel* dues.
- **8:8** A They do not [pay the price of] redemption [of the firstborn] either with slaves or with deeds or with land,
  - B nor [is] anything which has been sanctified [redeemed with slaves, deeds, or land (B. Bek. 516)].
  - C [If] one wrote a document for the priest that he owes him five *selas*, he is liable to pay him [the five *selas*], but his son is not yet redeemed [until the father pays five *selas*].
  - D Therefore if the priest [did not choose to collect the five *selas*, but decided] to give [the five *selas* of the bond] to him as a gift, he has the right.
  - E He who sets aside the redemption [money] for his son, and it was lost, is liable for it,
  - F since it is said, *It shall be yours*, and *You shall surely redeem it* (Num. 18:15).

- **8:9** A The firstborn takes a double portion in the estate of the father.
  - B But he does not take a double portion in the estate of the mother.
  - C And he does not take a double portion of the increased value or [a double share] of what is going to accrue to the estate [of the father] as [he receives a double share] of what already is in hand.
  - D [And the same applies to] (1) the wife in respect to her *ketubah*,
  - E and (2) to the daughters in respect to their maintenance,
  - F and (3) to the levir.
  - G None of them takes [what is owing] the increased value or of what is expected to accrue to the estate as [they receive a double share] of what already is in hand.
- **8:10** A These are the things which do not revert [to the original owners] in the Jubilee [Lev. 25:10]:
  - (1) the portion of the firstborn:
  - (2) and [the inheritance of] one who inherits his wife['s estate];
  - (3) and [the inheritance of] the one who performs levirate marriage.
  - B "And what is given as a gift," the words of R. Meir.
  - C And sages say, "That which is given as a gift is equivalent to that which is sold."
  - D R. Eleazar says, "All of them revert in the Jubilee."
  - E R. Yohanan b. Beroqah says, "He who inherits his wife['s estate] restores [the property] to the members of [her] family
  - F "and allows them a deduction from the purchase money."
- **9:1** A [The law concerning] tithe of cattle applies (1) in the Land and outside of the Land,
  - B (2) in the time of the Temple and not in the time of the Temple,
  - C (3) in the case of unconsecrated beasts but not in the case of consecrated beasts.
  - D (1) And it applies to the herd and to the flock,
  - E but they are not tithed one for another;
  - F (2) to sheep and to goats,
  - G and they are tithed one for another;
  - H (3) to what is new [born after new year] and to what is old [born before new year (M. 9:5–6)],
  - I but they are not tithed one for another.
  - J For it might have been logical [to conclude as follows]: Now if that which is new and that which is old, which are not prohibited as mixed kinds with one another, are not tithed one for another, sheep and goats, which are prohibited as mixed kinds with one another, logically should not be tithed one for another.
  - K Scripture [accordingly is required] to state, *And of the flock* (Lev. 27:32) implying that all *flock* is one [and tithed together].
- **9:2** A [For purposes of] tithe of cattle [those cattle which are found] within the radius of pasturing cattle are included together.
  - B And how much is the radius of pasturing cattle?
  - C Sixteen miles.
  - D [If] there was between these and those [cattle] thirty-two miles, they do not join together [for the purposes of tithing].
  - E [If] he had [cattle] in the middle, he brings and tithes them [with those which are] in the middle.
  - F R. Meir says, "The Jordan is a boundary [to a herd for purposes of] tithe of cattle."

- **9:3** A That which is purchased or that which is given to one as a gift is exempt from [the law to] tithe cattle.
  - B Brothers in partnership who are liable to a surcharge are exempt from tithe of cattle.
  - C And those who are liable to tithe of cattle are exempt from surcharge [M. Sheq. 1:7].
  - D [If] they acquired [cattle] from the property of the estate [of their father], they are liable.
  - E And if not, they are exempt.
  - F [If] they divided [the estate] and then went and formed a partnership,
  - G they are liable to surcharge and exempt from tithe of cattle.
- **9:4** A Every [sort of beast] enters the corral to be tithed,
  - B except for (1) hybrid beasts,
  - C and (2) *terefah* beasts,
  - D and (3) beasts born from the side,
  - E and (4) that which is not yet old enough,
  - F and (5) the orphan.
  - G What is the orphan?
  - H Any, the dam of which has died or been slaughtered.
  - I R. Joshua says, "Even if its dam is slaughtered, but the hide is whole, this is not deemed an orphan."
- **9:5** A There are three seasons ["threshing floors"] for the tithe of cattle [in which one takes the tenth of animals born in the stated period, at which point one may not use the animal]:
  - B "Half a month before Passover, half a month before Aseret [Pentecost], and half a month before the Festival [Sukkot]," the words of R. Aqiba.
  - C Ben Azzai says, "On the twenty-ninth of Adar, on the first of Sivan, and on the twentyninth of Ab."
  - D R. Eleazar and R. Simeon say, "On the first of Nisan, on the first of Sivan, and on the twenty-ninth of Elul."
  - E And why did they say on the twenty-ninth of Elul and they did not say on the first of Tishre?
  - F Because it is a festival, and it is not possible to tithe on the festival.
  - G Therefore they pushed it up to the twenty-ninth of Elul.
  - H R. Meir says, "On the first of Elul is the New Year for the tithe of cattle."
  - I Ben Azzai says, "[Cattle born in] Elul are tithed by themselves."
- **9:6** A All beasts born from the first of Tishre to the twenty-ninth of [the following] Elul, lo, they join together [for purposes of tithe].
  - B Five [born] before New Year and five [born] after New Year do not join together.
  - C Those born five days before the tithing season and those born five days after the tithing season do join together.
  - D If so, then why have they said, "There are three seasons for tithe of cattle"?
  - E For: Until the season has come, it is permitted to sell and to slaughter.
  - F Once the season has come, one should not slaughter.
  - G But if he has slaughtered, he is exempt [from penalty].
- **9:7** A How does one tithe them?
  - B He brings them into a corral and makes a small chute, so that two cannot exit simultaneously.

- C And he counts [using] a staff: One, two, three, four, five, six, seven, eight, nine.
- D And the one which exits tenth does he mark with a red mark, saying, "Lo this is tithe."
- E [If] (1) one did not mark it with a red mark, or (2) did not count them with a staff,
- F or (3) if one counted them while they were crouching or standing, lo, these are deemed tithed.
- G [If] he had a hundred and took [any] ten [of them], or had ten and took [any] one of them, this is not deemed tithe.
- H R. Yose bar Judah says, "Lo, this is tithe."
- I [If] one of those which had already been numbered jumped among them [which had not been numbered], lo, these are exempt.
- J [If one of those which was marked as] tithe [jumped] into their midst, all of them must pasture until they are blemished.
- K And by reason of their blemish they may be eaten by their owners.
- **9:8** I A [If the first] two exited simultaneously, he counts them two by two.
  - II B [If] he counted them as one, then the ninth and the tenth are spoiled.
  - III C [If] the ninth and the tenth exited simultaneously, the ninth and the tenth are spoiled.
  - IV D [If] he called the ninth, tenth, and the tenth, ninth, and the eleventh, tenth, all three are sanctified:
    - (1) the ninth is eaten by reason of its blemish;
    - (2) the tenth is tithe;
    - (3) and the eleventh is offered as peace offerings.
    - E "And it is subject to the law of the substitute," the words of R. Meir.
    - F said R. Judah, "And is there a substitute which imparts the status of a substitute to another?"
    - G They said in the name of R. Meir, "If it had been a substitute, it could not have been offered."
  - V H [If] he called the ninth, tenth, and the tenth, tenth, and the eleventh, tenth—
    - I the eleventh is not sanctified.
    - J This is the general principle: In any case in which the tenth was not deprived of its proper name, the eleventh is not sanctified.

### ARAKHIN

1:1AAll pledge the Valuation [of others] and are subject to the pledge of Valuation [by others],<br/>BBvow [the worth of another] and are subject to the vow [of payment of their worth by

- another]:
- C priests and Levites and Israelites, women and slaves.
- D A person of doubtful sexual traits and a person who exhibits traits of both sexes vow [the worth of another] and are subject to the vow [of payments of their worth by another], pledge the Valuation [of others], but are not subject to the pledge of Valuation by others,
- E for evaluated is only one who is certainly a male or certainly a female.
- F A deaf-mute, an imbecile, and a minor are subject to the vow [of payment of their worth by another], and are subject to the pledge of Valuation by others, but do not vow the worth, and do not pledge the Valuation, of others,
- G for they do not possess understanding.

- H One who is less than a month old is subject to the vow [of payment of worth by another], but is not subject to the pledge of Valuation.
- **1:2** A The gentile—
  - B R. Meir says, "He is subject to the pledge of Valuation [by others], but he does not pledge the Valuation [of others]."
  - C R. Judah says, "He pledges the Valuation [of others] but is not subject to the pledge of Valuation [by others]."
  - D And this one and that one agree that they vow and are subject to the vow [of payment of worth].
- **1:3** A He who is on the point of death or he who goes forth to be put to death
  - B is not subject to the vow [of payment of his worth by others] nor subject to the pledge of Valuation [by others].
  - C R. Hananiah b. Aqabya says, "He is subject to the pledge of Valuation,
  - D "because its [a Valuation's] price is fixed.
  - E "But he is not subject to the vow [of payment of his worth by others],
  - F "because its [a vow's] price is not fixed."
  - G R. Yose says, "He vows [the value of another] and pledges a Valuation [of another] and declares something sanctified.
  - H "And if he caused damage, he is liable to make restitution."
- **1:4** A The woman who goes forth to be put to death—
  - B they do not postpone [the execution] for her until she will give birth.
    - C [If] she sat on the travailing stool, they postpone [the execution] for her until she will give birth.
    - D The woman who is executed—they derive benefit from her hair.
    - E A beast which is executed—it [the hair] is prohibited from benefit.
  - A There is no [amount of money] in connection with Valuations less than *a sela*, or more than fifty *selas*.
    - B How so?

2:1

Ι

- C [If] one gave a *sela* and got rich, he gives nothing [more].
- D [If he gave] less than a *sela* and got rich, he gives fifty *selas*.
- E [If] he had five *selas*—
- F R. Meir says, "He gives only one [of them]."
- G And sages say, "He gives all of them."
- I H There is no [amount of money] in connection with Valuations less than sela, or more than fifty *selas*.
- II I There is no reopening for a woman who misses count [of her period] less than seven days, or more than seventeen days.
- III J There is no less [of a time of shutting up] in the case of *negaim* than one week, or more than three weeks.
- **2:2** A They do not count less than four full months in the year, and [to sages] have never appeared more than eight.
  - B The two loaves of bread which are eaten:
    - C there are no less than two, and no more than three.

II D Shewbread which is	s eaten:
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- E there are no less than nine, and no more than eleven [M. Men. 11:9A].
- III F An infant to be circumcised:
  - G there are no less than eight days, and no more than twelve.
- **2:3** I A They do not count less than twenty-one *teqiah* [blasts] in the sanctuary, and do not count more than forty-eight [M. Suk. 5:5A].
  - II B They do not count less than two harps, and do not count more than six.
  - III C They do not count less than six flutes, and they do not count more than twelve.
    - D And on twelve days in the year the flute is played before the altar:
      - (1) on the day of the slaughter of the first Passover offering,
      - (2) and on the day of the slaughtering of the second Passover offering;
      - (3) and on the first festival day of Passover;
      - (4) and on the festival day of Aseret;
      - (5–12) on the eight days of the Festival [of Sukkot].
      - E And one did not play on a pipe of bronze but on a pipe made of a reed, because its [the reed pipe's] sound is sweet.
      - F And one ended [the playing] with one reed only, because it ends well.
- **2:4** A "And they were the servants of the priests [who played the instruments]," the words of R. Meir.
  - B R. Yose says, "They were of the families of Bet Happegarim and of Bet Sipperayyah. And they came from Emmaus. And they married [their daughters] into the priesthood."
  - C R. Hananiah b. Antigonos says, "They were Levites."
- **2:5** I A They do not count less than six inspected lambs in the chamber of the lambs,
  - B sufficient for the Sabbath and for two festival days of the New Year.
  - C But they count more than that number without limit.
  - II D They do not count less than two trumpets.
  - E But they count more than that number without limit.
  - III F They do not count less than nine harps.
    - G But they count more than that number without limit.
      - H And as to the cymbals: one alone.

**2:6** IV A They do not count less than twelve Levites standing on the platform.

- B But they count more than that number without limit.
- C A minor [Levite] enters the courtyard for service only when the Levites are standing and singing.
- D And they [the minors] did not say [the songs] with harp and lyre, but only *a capella*, so as to add spice to the music.
- E R. Eliezer b. Jacob says, "They did not count for the [requisite] number, and they did not stand on the platform.
- F "But they stood on the ground, with their heads between the feet of the Levites [above them on the platform],
- G "and they were called 'Junior Levites."
- **3:1** I A There is in respect to Valuations [the possibility] to rule leniently and to rule stringently;

	II	В	in respect to the law of the field of possession (Lev. 27:16ff) [the possibility] to rule leniently and to rule stringently,
	III	С	in respect to an ox which is an attested danger which killed a slave [the possibility] to rule leniently and to rule stringently;
	IV	D	in the case of the rapist (Dt. 22:28f.) and seducer (Ex. 22:15f.), and the one who brings forth an evil name (Dt. 22:17f.) [the possibility] to rule leniently and to rule
	Ι	E	stringently. There is in respect to Valuations [the possibility] to rule leniently and to rule stringently: How so?
		F	All the same are one who pledged the Valuation of the most beautiful among Israelites and [one who pledged that] of the ugliest among Israelites—he gives fifty <i>selas</i> [in either case].
		G	[If] he said, "Lo, his value is incumbent on me," he gives his actual value.
3:2	II	А	In respect to the law of the field of possession [the possibility] to rule leniently and to rule stringently: How so?
		В	All the same are he who sanctifies a field in the desert of Mahoz and he who sanctified a field among the orchards of Sebaste:
		С	[if he wants to redeem it] he pays <i>fifty shekels of silver</i> [for every part of a field that suffices for] <i>the sowing of a homer of barley</i> (Lev. 27:16) [M. 7:1]
		D	And in the case of <i>a field which he has bought</i> (Lev. 27:22), he gives its actual value.
		Е	R. Eliezer says, "All the same are a field of possession and a field which he has bought.
		F	"What is the difference between a field of possession and a field which he has bought?
		G	"Rather in the case of a field of possession he pays an added fifth, and in the case of a field which he has bought he does not pay an added fifth" [M. 7:2].
3:3	III	А	In the case of an ox which is an attested danger which killed a slave [the
		В	possibility] to rule leniently and to rule stringently: How so? All the same are one who killed the most beautiful among slaves and [one who
		С	killed] the ugliest among slaves—[the owner] pays thirty <i>selas</i> [Ex. 21:30–32]. [If] it killed a free man, he pays his [actual] value.
		D	[If] he did injury to one and to the other, one pays restitution for the damage in full.
3:4	IV	А	In the case of the rapist and seducer [the possibility] to rule leniently and to rule stringently: How so?
		В	All the same are the one who raped or the one who seduced the greatest woman in the priesthood and the least among Israelites: He pays fifty <i>selas</i> [Ex. 22:15–16, Dt. 22:28–29].
		C	But as to the compensation for indignity and for blemish, all is assessed in accord with the status of the one who inflicts the indignity and the one upon whom the indignity is inflicted.
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**3:5** A *In the case of the one who brings forth an evil name* [the possibility] *to rule leniently and to rule stringently:* How so?

- B All the same are the one who brings forth an evil name concerning the greatest woman in the priesthood and the least among Israelites. He pays a hundred *selas* [Dt. 22:19].
- C It turns out that the one who says something with his mouth [suffers] more than the one who actually does a deed.
- D For so we find that the decree against our forefathers in the wilderness was sealed only on account of evil speech [Num. 13:32],
- E as it is said, *And they tempted me these ten times and have not hearkened to my voice* (Num. 14:22).
- **4:1** I A [The estimate of] ability to pay [is made in accord with the status of] the *one who vows* [Lev. 27:8].
  - II B And [the estimate of] the years [of age is made in accord with the status of] the one [whose Valuation] is vowed.
  - III C And [when this is according to] the Valuations [spelled out in the Torah], it is in accord with the status [age, sex] of the one whose Valuation is pledged.
  - IV D And the Valuation [is paid in accordance with the rate prescribed] at the time of the pledge of Valuation.
  - I E [*The estimate of*] *ability to pay* [*is made in accord with the status of*] *the one who vows:* How so?
    - F A poor man who pledged the Valuation of a rich man gives the Valuation required of a poor man.
    - G And a rich man who pledged the Valuation of a poor man gives the Valuation of a rich man.
- **4:2** A But in the case of offerings, [the rule] is not so.
  - B Lo, [if] one said, "The [obligation to bring] the offering of this *mesora is* incumbent on me," if the *mesora* was poor, he brings the offering of a poor man. [If the *mesora* was] rich, he brings the offering of a rich one.
  - C Rabbi says, "I say, 'Also in the case of Valuations the rule is so.'
  - D "And on what account does the poor man who pledged the Valuation of the rich man give the Valuation of a poor man? Because the rich man [under such circumstances, in any case] owes nothing.
  - E "But a rich man who said, 'My Valuation is incumbent on me,' and a poor man heard and said, 'What this one has said is incumbent on me [too],' he [the poor man] gives the Valuation of the rich one."
  - F [If] he was poor and got rich, or rich and grew poor, he gives the Valuation of a rich man.
  - G R. Judah says, "Even if he was poor and got rich and then became poor again, he gives the Valuation of a rich man."
- **4:3** A But in the case of offerings, the rule is not so.
  - B Even if his father is about to die and leave him ten thousand,
  - C [even if] his ship was at sea and [about to] arrive with ten thousand,
  - D the sanctuary has no claim whatsoever on them.
- **4:4** II A [The estimate of] the years [of his age is made in accord with the status of] the one [whose Valuation] is vowed: How so?
  - B A child who pledged the Valuation of an elder gives the Valuation of an elder.
  - C And an elder who pledged the Valuation of a child gives the Valuation of a child.

- III D And [when this is according to] the Valuations [spelled out in the Torah], it is in accord with the status of the one whose Valuation is pledged: How so?
  - E A man who pledged the Valuation of a woman gives the Valuation of a woman.
  - F And a woman who pledged the Valuation of a man gives the Valuation of a man.
- IV G And the Valuation [is paid in accordance with the rate prescribed] at the time of the pledge of Valuation: How so?
  - H [If] one pledged the Valuation of another when the latter was less than five years old, and [that one] passed five,
  - I less than twenty years old and he passed twenty,
  - J he pays in accord with what is required at the time of the pledge of Valuation.
  - K Thirty days is deemed less than that. The fifth year or the twentieth year is deemed less than that,
  - L since it says, *And if it be from sixty years old and upward, if it be a male* (Lev. 27:7).
  - M Lo, we derive the rule for all cases from that applicable to the sixtieth year.
  - N Just as the sixtieth year is deemed equivalent to less than that age, so the fifth year or the twentieth year is deemed equivalent to less than that age.
  - O Is this so? If Scripture has treated the sixtieth year as less than it, it is to impose a more stringent rule. Shall we then treat the fifth year and the twentieth year as less than they, to impose a more lenient rule?
  - P Scripture says, *Year* ... , for the purposes of establishing an analogy.
  - Q Just as *year* stated in connection with the sixtieth year is deemed equivalent to less than it, so *year* stated in connection with the fifth year and the twentieth year are deemed equivalent to less than they, whether this imposes a lenient or a stringent ruling.
  - R R. Eleazar says, "The foregoing applies so long as they are a month and a day more than the years [which are prescribed]."
- **5:1** A He who says, "My weight is incumbent on me [as a pledge to the sanctuary]" pays his weight—
  - B if [he said], "Silver," [then he pays] in silver;
  - C if [he said], "Gold," [then he pays] in gold.
  - D *M'SH B*: The mother of Yirmatyah said, "The weight of my daughter is incumbent on me, "And she went up to Jerusalem, and weighed her [Yirmatyah], and paid her weight in gold.
  - E [He who says], "The weight of my hand is incumbent on me [as a pledge to the sanctuary]"—
  - F R. Judah says, "He fills a jar with water and pokes it [his hand] in up to the elbow. And he weighs out the meat of an ass, with the sinews and bones. And he puts it [the ass meat] into it [the jar] until it [the jar] is filled up [with water]."
  - G Said R. Yose, "And how is it possible to treat as equivalent one kind of flesh and another, and one kind of bones and another? But:
  - H "They estimate the hand: how much is it likely to weigh?"
- **5:2** A [He who says], "The price of my hand is incumbent on me"—they make an estimate of him: how much is he worth with a hand, and how much is he worth without a hand?
  - B This rule is more strict in connection with vows than in connection with Valuations.
  - C More strict is the rule in connection with Valuations than in connection with Vows.
  - D How so?

- E He who says, "My Valuation is incumbent on me" and who dies—the heirs must pay [the Valuation].
- F [He who says], "My price is incumbent on me" and who dies—the heirs do not pay [the vow].
- G For corpses have no price [worth].
- H [He who says], "The Valuation of my hand, or the Valuation of my foot is incumbent on me" has not said a thing.
- I [He who says], "The Valuation of my head," or "the Valuation of my liver is incumbent on me" pays the Valuation of his whole person.
- J This is the general principle: [If he refers to] something on which life depends, he pays the Valuation of his whole person.
- **5:3** A [He who says], "Half of my Valuation is incumbent on me" pays half his Valuation.
  - B [He who says], "The Valuation of half of me is incumbent on me" pays the whole of his Valuation.
    - C [He who says], "Half of my price is incumbent on me" pays half of his price.
    - D [He who says], "The price of half of me is incumbent on me" pays the whole of his price.
    - E This is the general principle: [If he refers to] something on which life depends, he pays the Valuation of his whole person.
- 5:4 A He who says, "The Valuation of so-and-so is incumbent on me"—
  - B [if] the one who makes the vow and the one concerning whom the vow is made die—
  - C the heirs [of the former] pay the pledge.
  - D [If he said], "The price of so-and-so is incumbent on me" [and] the one who makes the vow dies, the heirs must pay the vow.
  - E [If] the one concerning whom the vow is made dies, the heirs do not have to pay.
  - F For corpses have no price [value].
- **5:5** A [He who says], "This ox is a burnt offering," "This house is *qorban*, "
  - B [if] \the ox died or the house fell down,
    - C is not liable to pay.
    - D [If he said], "The price of this ox is incumbent on me for a burnt offering," or "the price of this house is incumbent on me as *qorban*,"
    - E [if] the ox died or the house fell down,
    - F he is liable to pay.
- **5:6** A Those who owe Valuations [to the Temple]— they exact pledges from them.
  - B Those who owe sin offerings or guilt offerings—they do not exact pledges from them.
  - C Those who owe burnt offerings or peace offerings—they exact pledges from them.
  - D Even though he does not make atonement [that is, atonement is not effected for him] unless he acts of his own will, as it is said, *At his good will* (Lev. 1:3), [nonetheless], they compel him until he says, "I will it."
  - E And so do you rule in the case of writs of divorce for women:
  - F They compel him until he says, "I will it."
- **6:1** A [The proclamation of the sale of goods of] orphans evaluated [by the court to meet the father's debt] is for thirty days.

- B And [the proclamation of the sale of goods of] the sanctuary evaluated [by the court] is for sixty days.
- C And they make an announcement morning and night.
- D He who sanctifies his property,
- E and there was incumbent upon it the payment of his wife's *ketubah*—
- F R. Eliezer says, "When he divorces her, he imposes on her a vow not to enjoy any benefit [from him]."
- G R. Joshua says, "He need not do so."
- H Along these same lines did Rabban Simeon b. Gamaliel say, "Also: He who was a guarantor for a woman in respect to her *ketubah*, and her husband divorced her—
- I "let him [the husband] impose on her a vow not to enjoy any benefit from him,
- J "lest he [the husband] conspire against the property of this one [the guarantor], and then take his wife back."
- **6:2** A He who sanctifies his property,
  - B and there were incumbent upon him payment of his wife's *ketubah* and a debt—
  - C the wife cannot collect her *ketubah* from the sanctified property, nor the creditor his debt.
  - D But: He who redeems [the property] redeems it on condition of paying the woman her *ketubah* and the creditor his debt.
  - E He who sanctified [property worth] ninety manehs, and his debt was a hundred manehs—
  - F he [the debtor] adds another denar and redeems these possessions,
  - G on condition of paying the woman her *ketubah* and the creditor his debt.
- **6:3** A Even though they have said [M. 5:6]: *Those who owe Valuations*—*they exact a surety from them*,
  - B they [nonetheless] supply him with food for thirty days, and clothing for twelve months, and bedding, shoes, and *tefillin*—
  - C for him, but not for his wife or his children.
  - D If he was a craftsman, they give him two of every kind of the tools of his craft.
  - E [To a] carpenter they give two axes and two saws.
  - F R. Eliezer says, "If he was a farmer, they give him his yoke [of oxen].
  - G "[If he was] an ass driver, they give him his ass."
- **6:4** A [If] one sort [of tools] was abundant and one was few, they do not tell him to sell some of the abundant kind and to buy for himself some of the few.
  - B But: They give him two from every kind which is abundant, and all of those of which he has only few.
  - C He who sanctifies his property—
  - D they take away his *tefillin* [vs. M. 6:3B].
- **6:5** A All the same are the one who sanctifies his property and the one who pledges his own Valuation:
  - B he has no claim either on his wife's garment, or on his childrens' garment, or on dyed clothes which he dyed for them, or on new shoes which he bought for them.
  - C Even though they have said: Slaves are sold with their clothing to improve their value,
  - D so that if for him [the slave] a garment should be purchased for thirty *denars*, it improves his value by a *maneh*,

- E and so in the case of a cow: if they keep it for sale in a market place, it fetches a better price,
- F and so in the case of a pearl: if they bring it up to a city, it fetches a better price—
- G the sanctuary [nonetheless] has a claim only in its own place and in its own time.
- **7:1** A They do not declare [the field of possession] sanctified less than two years before the year of Jubilee.
  - B And they do not redeem it less than a year after the year of Jubilee.
  - C [In redeeming the field] they do not reckon the months against the sanctuary.
  - D But the sanctuary reckons the months [to its own advantage].
  - E He who sanctifies his field at the time of the Jubilee's [being in effect] [compare M. 8:1]
  - F pays the *fifty shekels of silver* [for every part of a field that suffices for] the sowing of a homer of barley.
  - G [If] there were there crevices ten handbreadths deep or rocks ten handbreadths high, they are not measured with it.
  - H [If they were in height] less than this, they are measured with it.
  - I [If] one sanctified it two or three years before the Jubilee, he gives a *sela* and a *pondion* for each year.
  - J If he said, "Lo, I shall pay for each year as it comes," they do not pay attention to him.
  - K But: He pays the whole at once.
- **7:2** A All the same are the owner [of the field] and every [other] man [in regard to what is paid (M. 7:1I-K) for the redemption of the field].
  - B What is the difference between the owner and every other man?
  - C But: The owner pays the added fifth. And every other person does not pay the added fifth [M. 8:1].
- 7:3 A [If] he sanctified it and redeemed it, it does not go forth from his domain on the Jubilee.
  - B [If] his son redeemed it, it goes forth to his father on the Jubilee.
  - C [If] someone else redeemed it, or one of the relatives, and he redeemed it from his domain, it does not go forth from his domain in the Jubilee.
  - D [If] one of the priests redeemed it, and lo, it is in his [the priest's] domain, he may not say, "Since it goes forth to the priests in the Jubilee, and since, lo, it is in my domain, lo, it is mine."
  - E But: It goes forth to all his brethren, the priests.
- 7:4 A [If] the Jubilee arrived and it was not redeemed,
  - B "The priests enter into [possession of] it but pay its price," the words of R. Judah.
  - C R. Simeon says, "They enter, and they do not pay."
  - D R. Eliezer says, "They neither enter nor pay.
  - E "But: It is called an abandoned field until the second Jubilee.
  - F "[If] the second year of the Jubilee came and it was not redeemed, it is called a twiceabandoned field,
  - G "up to the third Jubilee.
  - H "The priests under no circumstances enter into possession until another has redeemed it."
- **7:5** A He who purchases a field from his father, [if] his father died, and afterward he sanctified it, lo, it is deemed a field of possession (Lev. 27:16).

- B [If] he sanctified it and afterward his father died,
- C "lo, it is deemed a field which has been bought," the words of R. Meir.
- D R. Judah and R. Simeon say, "It is deemed a field of possession. "Since it is said, And if a field which he has bought which is not a field of his possession (Lev. 27:22)—
- E "a field which is not destined to be a field of possession,
- F "which excludes this, which is destined to be a field of possession."
- G A field which has been bought does not go forth to the priests in the Jubilee,
- H for a man does not declare sanctified something which is not his own.
- I Priests and Levites sanctify [their fields] at any time and redeem them at any time, whether before the Jubilee or after the Jubilee.
- 8:1 A He who sanctifies his field when the Jubilee is not [in force]
  - B they say to him, "You declare first" [how much you wish to pay for the redemption of the field, since, when the Jubilee is not in force, the field is redeemed at market value, not at the fifty *shekels* for each *homer*'s area].
    - C For the owner pays an added fifth.
    - D But no other man pays an added fifth [M. 7:2].
    - E *M'SH B*: One man sanctified his field because of its poor quality.
    - F They said to him, "You declare first."
    - G He said, "Lo, it is mine for an *issar*"
    - H (Said R. Yose, "This one said only, 'For [the value of] an egg.")
    - I For what is sanctified is redeemed by money or by something worth money.)
    - J He said to him, "It's yours!"
    - K He turned out to lose an *issar*, and his field was before him [still his].
- **8:2** A [If] one said, "Lo, it is mine for ten *selas*," and one said, "For twenty," and another says, "For thirty," and one says, "For forty," and one says, "For fifty"
  - B [if] the one who said fifty retracted, they exact a surety from his property for ten [*selas*].
  - C [If] the one who said forty retracted, they exact a surety from his property for ten.
  - D [If] the one who said thirty retracted, they exact a surety from his property for ten.
  - E [If] the one who said twenty retracted, they exact a surety from his property for ten.
  - F [If] the one who said ten retracted, they sell it [the sanctified field] for its market value.
  - G And they collect the remainder from the one who bid ten.
  - H [If] the owner says, "Twenty," and any other person says, "Twenty," the owner takes precedence [M. Bek. 1:7].
  - I For [in any event] he adds the fifth.
- **8:3** A [If] one said, "Lo, it is mine for twenty-one," the owner pays twenty-six.
  - B "Twenty-two"—the owner pays twenty-seven.
  - C "Twenty-three"—the owner pays twenty-eight.
  - D "Twenty-four"—the owner pays twenty-nine.
  - E "Twenty-five"—the owner pays thirty.
  - F For they do not add the fifth to what the other bids more [than the owner's bid].
  - G [If] one said, "Lo, it is mine for twenty-six"—
  - H if the owner wants to pay thirty-one and a *denar*, the owner takes precedence.
  - I And if not, they say, "It's yours!"

- 8:4 A "A man may declare *herem* part of his flock, part of his herd, some of his Canaanite menservants and maidservants, and part of his field of possession. But if he declared *herem* the whole of them, they are not deemed *herem*," the words of R. Eleazar.
  - B Said R. Eleazar b. Azariah, "Now if to the Most High a man is not permitted to declare all of his property *herem*, all the more so that a man must take care of his property."
- 8:5 A He who declares *herem* his son, his daughter, his Hebrew manservant or maidservant, a field which he has purchased—
  - B they are not deemed *herem*.
  - C For a man does not declare *herem* that which is not his own.
  - D "Priests and Levites do not declare [anything] herem," the words of R. Judah.
  - E R. Simeon says, "Priests do not declare [anything] *herem*. For things declared *herem* belong to them.
    - "But Levites declare [something] herem, for things declared herem do not belong to them."
  - F Rabbi says, "The opinion of R. Judah appears to me correct in the case of real estate.
  - G "Since it is said, For it is their perpetual possession (Lev. 25:34).
  - H "And the opinion of R. Simeon [appears to me correct] in the case of movables, for things declared *herem* do not belong to them."
- **8:6** A Things which are declared *herem* for priests are not subject to redemption but are given to the priests.
  - B R. Judah b. Beterah says, "What is declared herem without further explanation is for the repair of the Temple house,
  - C "since it is said, *Every devoted thing is most holy to the Lord* (Lev. 27:28)."
  - D And sages say, "What is declared herem without further explanation is for the priests,
  - E "since it is said, *As a field devoted to the possession thereof shall be the priest's* (Lev. 27:21).
  - F "If so, why is it said, And every devoted thing is most holy to the Lord?
  - G "That it applies to Most Holy Things and to Lesser Holy Things."
- **8:7** A A man declares *herem* things he has declared holy, whether they are in the status of Most Holy Things or of Lesser Holy Things [M. 8:6G].
  - B If it is a vow, he gives its value.
  - C If it is a freewill offering, he gives what it is worth to him.
  - D [If he says], "This ox is a burnt offering." they estimate how much a man is willing to pay for this ox to offer it up as a burnt offering for which he is not liable [that is, as a freewill offering].
  - E The firstling, whether unblemished or blemished, do they declare *herem*.
  - F How do they redeem it?
  - G They estimate how much a man is willing to pay for this firstling to give it to his daughter's son or his sister's son [who are priests and have a right to it]
  - H R. Ishmael says, "One Scripture says, *You will sanctify [all the firstling males]* (Dt. 15:19). "And one Scripture says, *You will not sanctify the firstling among beasts* (Lev. 27:26).
  - I "It is not possible to rule, 'You will sanctify,' for it already has been said not to sanctify. And it is not possible to rule, 'You will not sanctify,' for it already has been said to sanctify.
  - J "Rule on this basis: You sanctify it as something whose *additional value* is sanctified. But you do not sanctify it as an offering which falls to the altar."

- **9:1** A He who sells his field [of possession, that is, one received by inheritance] at the time of the Jubilee['s being in effect] is not permitted to redeem it in less than two years [M. 7:1A],
  - B since it is said, According to the number of years of the crops he shall sell to you (Lev. 25:15).
  - C [If] it was a year of blight or mildew or a Seventh Year, it does not count in the reckoning [of the crop years].
  - D [If] he only broke the ground or left it fallow, it does count in the reckoning of the crop years].
  - E R. Eleazer says, "[If] he sold it to him before the New Year and it was full of produce, lo, this one enjoys the usufruct from it of three crops in a period of two years."
- **9:2** A [If] one sold it to the first party for a *maneh* [a hundred zuz], and the first party sold it to the second for two hundred,
  - B one [who repurchases the field] reckons only with the first [buyer],
  - C since it is said, [Let him restore the overplus] to the man to whom he sold it (Lev. 25:27).
  - D [If] one sold it to the first for two hundred, and the first sold it to the second for a *maneh*,
  - E one reckons only with the last,
  - F since it is said, *To the man—to* the man who is now in full possession of it.
  - G (1) One should not sell [a field] at a distance and redeem [with the proceeds] one which is near by,
  - H or a poor one and redeem [with the proceeds] a good one.
  - I (2) One should not borrow and redeem [a field].
  - J (3) One should not redeem [a field] in halves.
  - K But in the case of that which has been sanctified, one is permitted in all of these respects.
  - L This rule is more strict in the case of common property than in that of what has been sanctified.
- **9:3** A He who sells a house among the houses in walled cities, lo, this one redeems [the house] forthwith.
  - B And he redeems it at any time in twelve months.
  - C Lo, this is a kind of usury which is not usury.
  - D [If] the seller died, his son may redeem [it].
  - E [If] the purchaser died, he may redeem it from the domain of his son.
  - F He reckons the year only from the time that he sold it to him,
  - G since it is said, *Within the space of a full year* (Lev. 25:30).
  - H And when it says, Full, it means to encompass the month added in an intercalated year.
  - I Rabbi says, "One allows him a year and its intercalated days."
- **9:4** A [If] the [last] day of the twelve months has come and it has not been redeemed, it becomes his permanently.
  - B All the same are the one who purchases and the one to whom it is given as a gift,
  - C since it says, *In perpetuity* (Lev. 25:30).
  - D At first did one hide on the day on which the twelve months were completed, so that it should become his permanently.
  - E Ordained Hillel the Elder that one should deposit his money in the [Temple] office, break down the door [of the house], and take possession.
  - F Whenever the other wants, he may come and take his money.

- **9:5** A Whatever is inside the wall, lo, it is deemed in the status of *a dwelling house in a walled city* (Lev. 25:29),
  - B except for the fields.
  - C R. Meir says, "Also the fields."
  - D A house which is built into the wall—
  - E R. Judah says, "It is not a dwelling house in a walled city."
  - F And R. Simeon says, "The outer partition, lo, it is its [the city's] wall."
- **9:6** A [A house in a city] the roofs of which form its wall,
  - B or one in a city which was not surrounded by a wall from the time of Joshua ben Nun,
    - C is not deemed *a dwelling house in a walled city*.
    - D And what is *a dwelling house in a walled city?*
    - E [A city in which are not less than] three courtyards, each with two houses, surrounded by a wall from the time of Joshua ben Nun,
    - F such as:
    - I the old castle of Sepphoris;
      - 2. the fortress of Gush Halab,
      - 3. old Yodpat,
      - 4. Gamala,
      - 5. Gadwad,
      - 6. Hadid,
      - 7. Ono,
      - 8. Jerusalem,
      - 9. and the like.
- **9:7** A Houses in courtyards [without a surrounding wall]— they assign to them the right applicable to *a dwelling house in a walled city* and that applicable to fields:
  - 1. They are redeemed forthwith [M. 9:3],
  - 2. and they are redeemed for a full year—like houses.
  - 3. And they go forth at the Jubilee,
  - 4. and [at an earlier time] by [payment of] a reduced price [M. 9:1]—like fields.
  - B And what are houses in courtyards?
  - C [A city in which are] two courtyards, having each two houses, even though surrounded by a wall from the time of Joshua ben Nun—
  - D lo, these are deemed houses in courtyards.
- **9:8** A "An Israelite who inherited [a house in a city of the Levites] from his mother's father, a Levite,
  - B "does not redeem the house in accord with this procedure.
  - C "And so too a Levite who inherited [a house in a city of Israelites] from his mother's father, an Israelite,
  - D "does not redeem the house in accord with this procedure.
  - E "Since it is said, For the houses of the cities of the Levites (Lev. 25:33)—
  - F "unless it is a Levite and [the house is in one of] the cities of the Levites," the words of Rabbi.
  - G And sages say, "These rules have been stated only in regard to cities of Levites."
  - H They do not turn (1) a field into a city's outskirts, or (2) a city's outskirts into a field, or (3) a city's outskirts into a city, or (4) a city into a city's outskirts.

- I Said R. Eliezer, "Under what circumstances? In the case of cities of Levites. But in the case of cities of Israelites,
- J "they do (1) turn a field into a city's outskirts, but (2) not a city's outskirts into a field,
- K "(3) a city's outskirts into a city, but (4) not a city into a city's outskirts,
- L "so as not to wipe out the cities of Israel."
- M Priests and Levites sell at any time and redeem at any time [even in less than two years, (M. 9:1A), and even after one year, (M. 9:5, 7)],
- N since it is said, [The houses of the cities of their possession] may the Levites redeem at any time (Lev. 25:32).

## TEMURAH

- **1:1** A All substitute [a beast for one they have first designated as a sacrifice]
  - B all the same are men and women.
  - C Not that a man is permitted to effect a substitution.
  - D But if one has effected a substitution, it [that which is designated instead of the beast already consecrated] is deemed a substitute [and also consecrated].
  - E And the man [who does so] incurs the penalty of forty stripes.
  - F Priests effect a substitution in the case of what belongs to them.
  - G And Israelites effect a substitution in the case of what belongs to them.
  - H Priests do not effect a substitution in the case either of a sin offering or of guilt offering or of a firstling.
  - I Said R. Yohanan ben Nuri, "And on what account do they [the priests, who own firstlings] not effect a substitution in the case of a firstling?"
  - J Said R. Aqiba, "A sin offering and a guilt offering are a gift to the priest, and a firstling is a gift to the priest.
  - K "Just as, in the case of a sin offering and a guilt offering, they do not effect a substitution, so in the case of a firstling, they should not effect a substitution."
  - L Said to him R. Yohanan b. Nuri, "What difference does it make to me that one does not effect a substitution in the case of a sin offering and a guilt offering? For in case of these, they [the priests] have no claim while they [the beasts] are alive.
  - M "Will you say the same in the case of the firstling, to which they [the priests] have a claim while [the firstling] is still alive?"
  - N Said to him R. Aqiba, "But has it not already been stated, *Then both it and that for which it is changed shall be holy* (Lev. 27: 10)?
  - O "At what point does sanctity descend on to it? In the house of the owner. So the substitute [becomes holy] in the house of the owner."
- **1:2** A They substitute [= impose the law of substitution upon] [an animal] (1) from the herd for one from the flock, and one from the flock for one from the herd,
  - B (2) from sheep for goats, and from goats for sheep,
  - C (3) from males for females, and from females for males,
  - D (4) from unblemished for blemished animals, and from blemished for unblemished animals,
  - E since it is said, *He shall not substitute anything for it or exchange it, a good for a bad, or a bad for a good* (Lev. 27: 10).
  - F What is a good for a bad?

- G [Substituting unblemished animals for already consecrated] blemished ones, the sanctification of which took place before their blemish [M. Bek. 2:2–3. Those sanctified when already blemished are unfit for the altar and exempt from the law of substitution].
- H They substitute one for two and two for one, one for a hundred and a hundred for one.
- I R. Simeon says, "They substitute only one for one,
- J "since it is said, *Then both it and that for which it is substituted* (Lev. 27:10)—Just as it is singular, so its substitute is singular."

**1:3** A They do not substitute (1) limbs for foetuses, or foetuses for limbs,

- B or (2) limbs and foetuses for whole beasts, or whole beasts for them.
- C R. Yose says, "They substitute limbs for whole beasts but not whole beasts for limbs."
- D Said R. Yose, "And is it not so that in the case of animals which have been consecrated, he who says, 'The foot of this is a burnt offering'-the whole beast is a burnt offering?
- E "Also, when he will state, 'The foot of this is instead of that'—the whole of it should be a substitute in its stead."
- **1:4** I A That which contains heave offering imparts the status of heave offering [to other produce] only by due measure [in the prescribed proportion].
  - II B That which contains leaven imparts the status of leaven [to something else] only by due measure.
  - III C Drawn water spoils the immersion pool only in due measure.
- **1:5** I A Purification water is made purification water only with the putting in of the ashes [of the red cow].
  - II B A grave area does not make [another field into] a grave area.
  - III C And heave offering [does] not follow [the taking of] heave offering. [There is no valid heave offering after heave offering has been removed from an item of produce.]
  - IV D And a substitute [for a substitute] does not produce a substitute. [A substitute does not impart the status of a substitute to that animal put forward in its stead.]
  - V E And an offspring [of a consecrated animal] does not impart the status of a substitute [to that animal put forward in its stead].
    - F R. Judah says, "An offspring [of a consecrated animal] does produce a substitute, "[An offspring ... does not impart the status of a substitute to that animal put forward in its stead.]
    - G They said to him, "That which has been sanctified produces a substitute, but the offspring and the substitute do not produce a substitute."
- **1:6** A Birds and meal offerings do not produce a substitute [impose the status of a substitute upon birds or meal designated as their replacement.
  - B For only in the case of cattle is [substitute] mentioned [Lev. 27:10].
  - C A congregation and partners do not produce a substitute,
  - D since it is said, *He shalt not change it* (Lev. 27:10).
  - E The individual produces a substitute, and neither a congregation nor partners produce a substitute.
  - F Offerings for the upkeep of the Temple do not produce a substitute.
  - G Said R. Simeon, "And was not tithe [of cattle] included [among the offerings for which a substitute may be brought] (Lev. 27:10)?

- H "And why was it excluded [*And all the tithe of herds and flocks* … *shall be holy unto the Lord. A man shall not inquire whether it is good or bad, neither shall he exchange it, and if he exchanges it, then both it and that for which it is exchanged shall be holy; it shall not be redeemed* (Lev. 27:32–33)]?
- I "To allow for an analogy:
- J "Just as the tithe [of cattle] is a sacrifice of an individual (M. Bek. 9:3], excluding sacrifices of the congregation [C],
- K "so tithe is an offering of the altar, excluding offerings to the Temple treasury [F] [for the upkeep of the Temple]."
- **2:1** A There are [rules] applying to offerings of an individual, which do not apply to offerings of the community.
  - B And there are [rules] applying to offerings of the community which do not apply to offerings of an individual.
  - C (1) For offerings of an individual impose the status of substitute, but offerings of the community do not impose the status of substitute.
  - D (2) Offerings of an individual pertain to male and female [beasts], but offerings of the community pertain only to male ones.
  - E (3) For offerings of an individual are they liable to be answerable [replacing animals set aside for the individual if said animals are lost] and answerable for their drink offerings, but for offerings of the community they are liable to be answerable neither for them nor for their drink offerings,
  - F but they are liable to be answerable for their drink offerings once the animal sacrifice is offered.
  - G There are [rules] applying to offerings of the community which do not apply to offerings of the individual.
  - H For offerings of the community override the Sabbath and [the prohibitions of] uncleanness, and offerings of an individual override neither the Sabbath nor [the prohibitions of] uncleanness.
  - I Said R. Meir, "And are not the baked cakes [M. Men. 4:5] of the high priest and the bullock of the Day of Atonement the offering of an individual, and they override both the Sabbath and [the prohibitions of] uncleanness?
  - J "But [the reason is that] their time is fixed, "[The reason both offerings of the community and the aforementioned offerings of an individual override the Sabbath and the prohibitions of uncleanness is that their time is fixed.]
- **2:2** A The sin offering of an individual, the owner of which has effected atonement [through another animal] [is left to] die.
  - B And that of the community [which has effected atonement through another animal] is not [left to] die.
  - C R. Judah says, "Let it be left to die."
  - D Said R. Simeon, "Just as we find in the case of the offspring of a sin offering, and the substitute of a sin offering, and a sin offering the owner of which has died, [that] it is in the case of an individual that matters are stated, but not in the case of the community,
  - E "so in the case of that [animal], the owner of which has effected atonement, or the year of which has passed [and which has become superannuated (M. Par. 1:3–4)], it is in the case of an individual that matters are stated, but not in the case of the community."

- 2:3 A more strict rule applies to consecrated animals than to a substitute, and [a more strict А rule] applies to a substitute than to consecrated animals.
  - For consecrated animals impart the status of a substitute [to that animal declared by its В owner to be a substitute in their stead]. But a substitute does not impart [to another animal, designated in its stead] the status of a substitute [M. 1:5].
  - С A community or partners declare [animals] to be sanctified, but do not effect a declaration of substitution [so that should a group of people or partners declare an animal substitute for one already consecrated, the former is not deemed consecrated] [M. 1:6].
  - And they sanctify limbs and foetuses, but do not effect substitution [for limbs or foetuses] D [M. 1:3].
  - E A more strict rule applies to the substitute.
  - For sanctity applies to [a substitute] which is afflicted with a permanent blemish [M. 1:2], F so that it does not go forth for unconsecrated purposes, for shearing and for labor.
  - G R. Yose b. Judah says, "[The law] has treated that which is done unintentionally as equivalent to that done intentionally in the case of the substitute. But it has not treated that which is done unintentionally as equivalent to that which is done intentionally in the case of consecrated beasts."
  - R. Eleazar says, "A beast that is crossbred and a *terefah* and one born from the side, a beast Η lacking in clear-cut sexual characteristics and one which bears both male and female characteristics
  - Ι "are not made holy and do not impart [to a substitute] the status of holiness."

#### А These are the consecrated animals, the offspring, and the substitutes of which are deemed of equivalent status: Ι

- (1) the offspring of peace offerings, В
  - (2) and their substitute,
    - (3) and their [the offspring's and the substitute's] offspring,
  - (4) and the offspring of their offspring,
- С to infinity-
- D lo, these are deemed equivalent to peace offerings.
- And they require laying on of hands, drink offerings, and waving of the breast and E thigh [M. Zeb. 10:2].
- F R. Eliezer says, "The offspring of peace offerings is not offered as peace offerings [but is left to die]."
- And sages say, "It is offered." G
- Said R. Simeon, "They did not dispute concerning the offspring of an offspring of Η peace offerings and concerning the offspring of an offspring of a substitute, that it should *not* be offered.
- Ι "Concerning what did they dispute?
- J "Concerning the offspring [itself], for
- "R. Eliezer says, 'It is not offered.' Κ
- L "And sages say, 'It is offered.""
- Testified R. Joshua and R. Pappyas concerning the offspring of peace offerings, Μ that it *is* offered as peace offerings [= Sages G].
- Said R. Pappyas, "I bear witness that we had a cow deriving from sacrifices of Ν peace offerings and we ate it on Passover. And we ate its offspring as peace offerings on the [next] Festival [Sukkot]."

3:1

- 3:2 II A (1) The offspring of a thank offering, and (2) its substitute, (3) their offspring, and (4) the offspring of their offspring,
   B to infinity,
   C lo, these are deemed equivalent to a thank offering.
  - D But with the proviso that they do not require bread.
  - III E (1) The substitute of a burnt offering, and (2) the offspring of the substitute, and (3) their offspring, and (4) the offspring of their offspring,
    - F to infinity,

3:3

- G lo, these are deemed equivalent to a burnt offering.
- H And they require flaying and cutting up and are wholly burned upon the altar fires.
- A He who sets aside a female beast as a burnt offering, which bore a male—
  - B it [the offspring] pastures until it is blemished, then it is to be sold, and [the owner] brings with its proceeds a burnt offering.
  - C R. Eleazar says, "It itself is offered as a burnt offering."
  - D He who sets aside a female beast as a guilt offering—it [the beast] pastures until it is blemished, then it is to be sold, and [the owner] brings with its proceeds a guilt offering.
  - E If his guilt offering has been offered, then its proceeds fall [to the Temple treasury] as a freewill offering.
  - F R. Simeon says, "It is sold [even] without a blemish."
  - IV G The substitute of a guilt offering, the offspring of its substitute, and their offspring, and the offspring of their offspring,
    - H to infinity,
    - I are to pasture until they are blemished. Then they are to be sold. And their proceeds are to fall [to the Temple treasury] as a freewill offering.
    - J R. Eliezer says, "Let them be left to die."
    - K R. Eleazar says, "Let him purchase with their proceeds a burnt offering."
    - L A guilt offering, the owner of which died, or the owner of which effected atonement [with another animal], is set out to pasture until it suffers a blemish. Then it is sold. And the proceeds are to fall [to the Temple treasury] as a freewill offering.
    - M R. Eliezer says, "Let it be left to die."
    - N R. Eleazar says, "Let him purchase with its proceeds a burnt offering."
- **3:4** A And is not also [that which falls to the Temple treasurv as] a freewill offering a burnt offering?
  - B So what is the difference between the opinion of R. Eleazar and the opinion of sages [M. 3:3, K]?
  - C But: When it [a burnt offering] is brought in fulfillment of an obligation, he lays his hands on it and brings drink offerings on its account and the drink offerings derive from his own funds.
  - D And if he was a priest, the service of offering it up and the hide belong to him.
  - E But when it [a burnt offering] is brought as a freewill offering, he does not lay his hands on it and he does not bring drink offerings on its account, and its drink offerings derive from public funds.
  - F Even though he is a priest, the service of offering it up and the hide belong to the men of that particular course.

- **3:5** A The substitute of a firstling or of tithe, their offspring, and the offspring of their offspring, to infinity,
  - C lo, they are deemed equivalent to a firstling or to tithe.
  - D And they are eaten by the owners after they are blemished.
  - E What is the difference between the [blemished] firstling and tithe and all [other blemished] Holy Things?
  - F For all other Holy Things [when blemished] are sold in the market and are slaughtered in the market and are weighed by the *litra*, except for the firstling and tithe [M. Bek. 5:1].
  - G And they are subject to redemption, and their substitutes are subject to redemption, except for the firstling and tithe.
  - H And they are brought from abroad, except for the firstling and the tithe [compare M. Bek. 9:1].
  - I If they are brought without blemish, they are offered up, and if they are blemished, they are eaten by their owners after they are blemished.
  - J Said R. Simeon, "What is the reason [for G]? For the firstling and the tithe have a remedy in their original location. But all other Holy Things, even though a blemish affects them, lo, they remain in their sanctity."
- **4:1** A (1) The offspring of a sin offering, (2) the substitute of a sin offering, and (3) a sin offering, the owner of [any ox] which died
  - B are left to die.
  - C (4) One which was superannuated or (5) one which was lost and turned up blemished I
  - D if this is after the owner has effected atonement,
  - E is left to die.
  - F And it does not impart the status of substitute [to an animal designated in its stead]. People do not derive benefit from it, but it is not subject to the laws of sacrilege.
  - G If this is before the owner has effected atonement,
  - H it is set out to pasture until it is blemished, then is sold, and [the owner] brings another with its proceeds.
  - I And it imparts the status of substitute [to an animal designated in its stead], and it is subject to the laws of sacrilege.
- **4:2** A He who sets aside his sin offering and it [the animal] was lost,
  - B and [who] offered another in its stead,
    - C and afterward the first [animal originally set aside] turned up—
    - D it [the first animal] is left to die.
    - E He who sets aside coins for a sin offering, which were lost,
    - F and [who] offered up a sin offering in their stead,
    - G and afterward the coins turned up—
    - H let them go to the Salt Sea.
- **4:3** I A He who sets aside coins for his sin offering, which were lost,
  - B and [who] set aside other coins in their stead—
    - C he did not suffice to buy with them [the replacement coins] a sin offering before the first coins turned up—
    - D let him bring a sin offering with some of these and with some of those,
  - E and let the others fall [to the Temple treasury] as a freewill offering.
  - II F He who separates coins for his sin offering, which were lost,
    - G and [who] set aside a sin offering in their stead—

- H he did not suffice to offer it up before the coins turned up—
- I and lo, the sin offering is blemished—
- J let it be sold and let him bring a sin offering with some of these and with some of those [coins, the original ones as well as the ones which were the proceeds of the sale of the blemished sin offering].
- K And let the rest fall [to the Temple treasury] as a freewill offering.
- III L He who separates his sin offering, which was lost,
  - M and [who] separated coins in its stead—
    - N he did not suffice to purchase a sin offering with them before his sin offering turned up—
    - O and lo, it is blemished—

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- P let it be sold, and let him bring a sin offering with some of these and with some of those [coins].
- Q And let the rest fall [to the Temple treasury] as a freewill offering.
- IV R He who separates his sin offering, which was lost,
  - S and [who] separated another in its stead—
  - T he did not suffice to offer it up before the first turned up—
  - U and lo, both of them are blemished—
  - V let them both be sold. And let him bring a sin offering with some of these and some of those [coins received for the two blemished animals].
  - W And let the rest fall [to the Temple treasury] as a freewill offering.
  - X He who separates his sin offering, which was lost,
    - Y and [who] separated another in its stead—
    - Z he did not suffice to offer it up before the first turned up—
    - AA and lo, both of them are totally unblemished—
    - BB "one of them is to be offered as a sin offering.
    - CC "And the other is to be left to die," the words of Rabbi.
    - DD and sages say, "Only that sin offering is left to die in the case in which the owners have effected atonement.
    - EE "And coins do not go to the Salt Sea except in the case of those which are found after the owner has effected atonement."
- **4:4** A He who separates his sin offering, and lo, it [turns out] to be blemished
  - B sells it and purchases another with its proceeds.
  - C R. Eleazar b. R. Simeon says, "If the second is offered before the first is slaughtered, it is left to die.
  - D "For the owner already has effected atonement."
- **5:1** A How do they [legitimately] practice deception in connection with the firstling [thereby evading the law and using the animal for another sacrifice which one owes]?
  - I B [Concerning] a beast which had not given birth which was pregnant, one says, "What is in the womb of this, if it is male, is a burnt offering."
    - C [If] it gave birth to a male, it is to be offered as a burnt offering.
  - II D "And if it is female, it is sacrifices of peace offerings."
  - E [If] it gave birth to a female, it is to be offered as peace offerings.
  - III F [If] one says, "If it is male, it is a burnt offering. If it is female, it is sacrifices of peace offerings, "

- G [if] it gave birth to a male and a female, the male is to be offered as a burnt offering, and the female is to be offered as peace offerings.
- **5:2** A [If in the case of B/F] it gave birth to two males, one of them is to be offered as a burnt offering. And the second is to be sold to those who owe a burnt offering. But its proceeds are unconsecrated.
  - B [If in the case of C/F] it gave birth to two females, one of them is to be offered as peace offerings, and the second is to be sold to those who owe peace offerings. But its proceeds are unconsecrated.
  - C [If] it gave birth to an offspring whose sexual traits cannot be discerned or to one bearing the traits of both sexes—
  - D Rabban Simeon b. Gamaliel says, "Sanctity does not apply to them [at all]."
- **5:3** A "He who says, 'The offspring of this is a burnt offering, and it [itself] is peace offerings'— his words are confirmed.
  - B "[He who says], 'It is peace offerings and its offspring is a burnt offering,' lo, this is the offspring of peace offerings [and in the same status (M. 3:1A)]," the words of R. Meir.
  - C Said R. Yose, "If to begin with he intended thus, since it is not possible to designate [them] by two names at once, his words are confirmed.
  - D "But if after he said, 'Lo, this is peace offerings,' he changed his mind and said, 'Its offspring is a burnt offering,' lo, this is the offspring of peace offerings."
- **5:4** A "[He who says], 'Lo, this is the substitute of a burnt offering and the substitute of peace offerings,' lo, this is the substitute of a burnt offering," the words of R. Meir.
  - B Said R. Yose, "If to begin with he intended thus, since it is not possible to designate [them] by two names at once, his words are confirmed.
  - C "But if after he said, 'It is the substitute of a burnt offering,' he changed his mind and said, 'It is the substitute of peace offerings,' lo, this is the substitute of a burnt offering."
- **5:5** A [He who says], "Lo, this is instead of that," the substitute of that,". the exchange of that"—Io, this is a substitute.
  - B [He who says, "Lo,] this is unconsecrated through that, "— it is not a substitute.
  - C And if it was a blemished consecrated animal, it goes forth for unconsecrated purposes.
  - D And one must make good its full value.
- 5:6 A [He who says,] "Lo, this is instead of a sin offering," burnt offering," he has said nothing.
  B [If he said], "... instead of this sin offering," instead of this burnt offering," "... instead of a sin offering," or "instead of a burnt offering, which I have in the house," [If] he had them,
  - C his words are confirmed.
  - D If he said concerning an unclean beast or concerning a blemished beast, "Lo, these are a burnt offering," he has said nothing.
  - E [If he said], "Lo, these are for a burnt offering," let them be sold, and let him bring a burnt offering with their proceeds.
- 6:1 A Al] [animals] which are prohibited for the altar prohibit in any number at all [animals among which they are confused]:(1) the one which has sexual relations with a human being;

- (2) and the one with whom a human being has sexual relations;
- (3) and the one which is set aside [for idolatrous worship];
- (4) and the one which is actually worshiped;
- (5) and the [harlot's] hire;
- (6) and the price of a dog [one given in payment for a dog];
- (7) and the hybrid;
- (8) and the *terefah*
- (9) and the one which is born from the side.
- B What is the one which is set aside [A3]?
- C The one which is set aside for idolatrous worship.
- D It is prohibited, but what is on it is permitted.
- E What is the one which is actually worshiped [A4].
- F Any which people serve.
- G [Both] it and what is on it are prohibited.
- H This and that [however] are permitted for eating.
- **6:2** A What is the hire [of a harlot (A5)]?
  - B He who says to a prostitute, "Here is this lamb for you as your fee."
  - C Even if [they were] a hundred [among which one animal is confused], all of them are prohibited.
  - D He who says to his fellow, "Here is this lamb for you, and let your servant girl spend the night with my servant boy"—
  - E Rabbi says, "It is not the hire of a harlot."
  - F And sages say, "It is the hire of a harlot."
- **6:3** A What is the price of a dog [A6]?
  - B He who says to his fellow, "Here is this lamb for you, in exchange for this dog."
  - C And so two partners who divided [property]. One took ten [lambs], and one took nine [lambs] and a dog.
  - D Those which are set over against the dog are prohibited.
  - E Those which are with the dog are permitted. instead of a
  - F The hire [rental fee] of a dog and the price of a prostitute, lo, they are permitted,
  - G since it is said, *Even both these [two]* (Dt. 23:19)—but not four.
  - H Their offspring are permitted, since it is said, They—and not their offspring.
- **6:4** A [If] one gave her [pieces of] silver, lo, they are permitted.
  - B [If he gave her bottles] of wine, [jars of] oil, meal, or anything the like of which is offered on the altar, it is prohibited.
  - C [If] he gave her [already] consecrated animals, lo, they are permitted.
  - D [If he gave her] fowl, lo, they are prohibited.
  - E For it might have been logical [to argue thus]: Now if to the case of consecrated animals, which a blemish invalidates, the consideration of the hire of a harlot and the price of a dog does not apply,
  - F to the case of fowl, which a blemish does not invalidate, is it not logical that the consideration of the hire of a harlot and the price of a dog should not apply?
  - G Scripture states, *For any vow* (Dt. 23:19)—to encompass fowl.
- **6:5** A (1) All those animals which are prohibited for the altar—

- (2) their offspring are permitted.
- B The offspring of a *terefah* animal—
- C R. Eliezer says, "It is not to be offered on the altar."
- D And sages say, "It is to be offered."
- E R. Hananiah b. Antigonos says, "A valid animal which sucked from a *terefah* animal is invalid on the altar."
- F All Holy Things which became *terefah—they* do not redeem them.
- G For they do not redeem Holy Things to feed them to the dogs.
- **7:1** A There are [rules applying] to [animals] sanctified for the altar which do not [apply] to things sanctified for the upkeep of the house [the Temple treasury]. And there are [rules applying] to things sanctified for the upkeep of the house which do not apply to [animals] sanctified for the altar.
  - B For: (1) [Animals] sanctified for the altar impart the status of substitute [to animals designated in their stead].

(2) And they are liable on their account [on account of things sanctified for the altar] because of violation of the laws of refuse, remnant, and uncleanness.

- (3) Their offspring and their milk are prohibited after they are redeemed [M. Hul. 10:2].
- (4) And he who slaughters them outside [of the Temple] is liable [M. Zeb. 14:1–2].

(5) And they do not pay any part of them to craftsmen [who perform tasks for the Temple] as their salary [T. to M. Me. 3:6] [M. Sheq. 4:5–6]—

- C which is not the case of things sanctified for the upkeep of the house.
- **7:2** A There are [rules applying] to things sanctified for the upkeep of the house which do not apply to [animals] sanctified for the altar.
  - B For (1) Things which are sanctified without further specification go for the upkeep of the house [M. Sheq. 4:7].

(2) The sanctity pertaining to the upkeep of the house applies to anything [not merely to valid animals].

(3) And the laws of sacrilege apply to that which is produced by them [things which are sanctified for the upkeep of the house, e.g., to milk, wool, or eggs (M. Me. 3:5)].(4) And the priests have no benefit from them.

- **7:3** A All the same are [animals] sanctified for the altar and things sanctified for the upkeep of the house.
  - B (1) They do not change them from one status of sanctification to another status of sanctification.

(2) They sanctify [in the case of animals sanctified for the altar] their estimated value as a sanctified thing [= value dedication, M. Ar. 8:7].

- (3) And they declare them *herem* [for the benefit of the priesthood].
- C And if they die, they are to be buried [M. Tem. 6:5G].
- D R. Simeon says, "Things sanctified for the upkeep of the house, if they die, are to be redeemed."
- **7:4** A And these are things which are to be buried:
  - B Sanctified animals which produced a miscarriage—they [the miscarriages] are to be buried.
  - C [If] it produced an afterbirth, it is to be buried.
  - D (1) An ox which is stoned to death,

- (2) and a heifer, the neck of which is broken,
- (3) and the bird offerings of a *mesora*,
- (4) and the hair of a Nazirite [which is cut off],
- (5) and the firstborn of an ass,
- (6) and meat mixed with milk.
- E And unconsecrated beasts which are slaughtered in the Temple courtyard.
- F R. Simeon says, "Unconsecrated beasts which are slaughtered in the Temple courtyard are to be burned.
- G "And so: A wild animal which is slaughtered in the Temple courtyard."
- **7:5** A And those are things which are to be burned:
  - B Leaven on Passover is to be burned.
  - C (1) And unclean heave offering, and (2) ortah fruit, and (3) mixed seeds in a vineyard—
  - D That which is usually burned is to be burned.
  - E That which is usually buried is to be buried.
  - F And they kindle [a flame] with [unclean] bread and oil of heave offering.
- **7:6** A All sanctified animals which were slaughtered [with improper intention to eat what is usually eaten or to burn what is usually burned] outside of their proper time or outside of their proper place,
  - B lo, these are to be burned.
  - I C A suspensive guilt offering is to be burned.
  - D R. Judah says, "It is to be buried."
  - II E The sin offering of fowl which is brought in a case of doubt is to be burned.
  - F R. Judah says, "One tosses it into the gutter."
  - III G All things which are to be burned are not to be buried, and all things which are to be buried are not to be burned.
    - H R. Judah says, "If one wanted to impose a more strict rule upon himself, to burn that which is to be buried, he is permitted [to do so]."
    - I They said to him, "One is not permitted to change [the established rule]."

## **KERITOT**

- **1:1** A Thirty-six transgressions subject to extirpation are in the Torah:
  - B He who has sexual relations with (1) his mother, and (2) with his father's wife, and (3) with his daughter-in-law;
  - C he who has sexual relations (4) with a male, and (5) with a beast; and (6) the woman who has sexual relations with a beast;
  - D he who has sexual relations (7) with a woman and with her daughter, and (8) with a married woman;
  - E he who has sexual relations (9) with his sister, and (10) with his father's sister, and (11) with his mother's sister, and (12) with his wife's sister, and (13) with his brother's wife, and (14) with his father's brother's wife, and (15) with a menstruating woman (Lev. 18:6ff.);
  - F (16) he who blasphemes (Num. 15:30), and (17) he who performs an act of blasphemous worship (Num. 15:31), and (18) he who gives his seed to Molekh (Lev. 18:21), and (19) one who has a familiar spirit (Lev. 20:6);

- G (20) he who profanes the Sabbath day (Ex. 31:14);
- H and (21) an unclean person who ate a Holy Thing (Lev. 22:3), and (22) he who comes to the sanctuary when unclean (Num. 19:20);
- I he who eats (23) forbidden fat (Lev. 7:25), and (24) blood (Lev. 17:14), and (25) remnant (Lev. 19:6–8), and (26) refuse (Lev. 19:7–8);
- J he who (27) slaughters and who (28) offers up [a sacrifice] outside [the Temple court] (Lev. 17:9);
- K (29) he who eats leaven on Passover (Ex. 12:19); and he who (30) eats and he who (31) works on the Day of Atonement (Lev. 23:29–30);
- L he who (32) compounds anointing oil [like that made in the Temple (Ex. 30:23–33)], and he who (33) compounds incense [like that made in the Temple], and he who (34) anoints himself with anointing oil (Ex. 30–(32);
- M [he who transgresses the laws of] (35) Passover (Num. 9:13) and (36) circumcision (Gen. 17:14), among the positive commandments.
- **1:2** A For those [transgressions] are people liable, for deliberately doing them, to the punishment of extirpation,
  - B and for accidentally doing them, to the bringing of a sin offering,
  - C and for not being certain of whether or not one has done them, to a suspensive guilt offering [Lev. 5:17]—
  - D "except for the one who imparts uncleanness to the sanctuary and its Holy Things,
  - E "because he is subject to bringing a sliding scale offering (Lev. 5:6–7, (11)," the words of R. Meir.
  - F And sages say, "Also: [except for] the one who blasphemes, as it is said, *You shall have one law for him that does anything unwittingly* (Num. 15:29)—excluding the blasphemer, who does no concrete deed."
- **1:3** A (1) There are women who bring a [sin] offering [after childbirth], and it is eaten [by the priests], (2) and there are women who bring an offering, and it is not eaten, (3) and there are women who do not bring [an offering].
  - I B These [women after childbirth] bring an offering, and it is eaten:
    - C (1) "She who aborts something which is like a beast or a wild animal or a bird," the words of R. Meir.

And sages say, "[She does not bring an offering] unless it bears human appearances

- D She who aborts (1) a sandal or (2) an afterbirth or (3) a fully fashioned foetus or (4) an offspring which is cut up [during delivery].
- E And so a bondwoman who gives birth brings an offering, and it is eaten.
- **1:4** II A These bring [an offering], but it is not eaten:
  - B (1) She who aborts, and it is not known what it is that she has aborted;
  - C and so: two women who aborted, one [producing] something which is exempt [from the requirement of bringing an offering], and one [producing] something which is liable [to an offering].
  - D Said R. Yose, "Under what circumstances? When this one went east and that one west. But if the two of them are standing together, they [together] bring [one] offering, and it is eaten."
- **1:5** III A These are those who do not bring [an offering at all]:

- B She who aborts a foetus (1) filled with water, (2) filled with blood, (3) filled with variegated matter;
- C she who aborts something shaped like (1) fish, (2) locusts, (3) abominable things, or (4) creeping things;
- D she who aborts on the fortieth day.
- E And [she who produces] that which comes forth from the side.
- F R. Simeon declares liable in the case of [producing] that which comes forth from the side.
- **1:6** A She who produces an abortion on the night [prior to the dawn] of the eightyfirst day—
  - B The House of Shammai declare [her] exempt from bringing an offering.
  - C The House of Hillel declare [her] liable.
  - D Said the House of Hillel to the House of Shammai, "What is the difference between the night [prior to the dawn] of the eighty-first day from the eighty-first day itself [when she certainly would be liable]?"
  - E "If it [the night] is equivalent to it [the day] in respect to uncleanness, should it not be equivalent to it in respect to an offering?"
  - F Said to them the House of Shammai, "No. If you have said so [that a woman is liable] in the case of the woman who aborts on the eighty-first *day*, at which point it [the abortion] went forth at a time at which it is fitting to bring an offering, will you say so of the one who aborts on the *night* of the eighty-first day, at which point it [the abortion] did not go forth at a time at which it is fitting to bring an offering?"
  - G Said to them the House of Hillel, "And lo, she who produces an abortion on the eighty-first day which coincides with the Sabbath will prove [our case].
  - H "For it did not go forth at a time at which it is fitting to bring an offering. Yet she is liable to bring an offering."
  - I Said to them the House of Shammai, "No. If you have said so in the case of her who aborts on the eighty-first day which coincides with the Sabbath, at which time, even though it is not fitting to bring an individual's offering, it is fitting to bring the community's offering, will you say so in the case of her who aborts on the night of the eighty-first day, for the night is not a time fitting for bringing either an individual's offering or the community's offering.
  - J "Her blood [uncleanness] does not prove the matter.
  - K "For she who produces an abortion during the days of purifying, her blood is unclean. And she is free of the obligation to bring an offering."
- **1:7** A The woman who is subject to a doubt concerning [the appearance of] five fluxes,
  - B or the one who is subject to a doubt concerning five miscarriages
  - C brings a single offering.
  - D And she [then is deemed clean so that she] eats animal sacrifices.
  - E And the remainder [of the offerings, A, B] are not an obligation for her.
  - F [If she is subject to] five confirmed miscarriages,
  - G or five confirmed fluxes,
  - H she brings a single offering.
  - I And she eats animal sacrifices.
  - J But the rest [of the offerings, the other four] remain as an obligation for her [to bring at some later time].
  - K  $M'SH \check{S}$ : A pair of birds in Jerusalem went up in price to a golden denar

- L Said Rabban Simeon b. Gamaliel, "By this sanctuary! I shall not rest tonight until they shall be at [silver] *denars*."
- M He entered the court and taught [the following law]:
- N "The woman who is subject to five confirmed miscarriages [or] five confirmed fluxes brings a single offering.
- O "And she eats animal sacrifices.
- P "And the rest [of the offerings] do not remain as an obligation for her."
- Q And pairs of birds stood on that very day at a quarter-denar each [one one hundredth of the former price].
- **2:1** A [There are] four whose atonement is not complete [until they bring an offering].
  - B And four bring [an offering] for [a transgression done] deliberately as for [one done] inadvertently.
  - C These are those whose atonement is not complete [until they bring an offering]: (1) The *Zab*, and (2) the *Zabah*, and (3) the woman who has given birth, and (4) the *mesora*.
  - D R. Eliezer b. Jacob says, "A proselyte is one whose atonement is not complete until the blood will be sprinkled on his behalf."
  - E And the Nazir as to [observing prohibitions against] wine, shaving, and uncleanness [has not completed atonement until he has brought his offering].
- **2:2** A These bring [an offering for a transgression done] deliberately as for [one done] inadvertently:
  - B (1) He who has sexual relations with a bondwoman; and (2) a Nazirite who was made unclean;
  - C and (3) for [him who utters a false] oath of testimony, and (4) for [him who utters a false] deposit oath.
- **2:3** A Five bring a single offering for many transgressions.
  - B And five bring a sliding scale offering.
    - C These bring a single offering for many transgressions:
       (1) He who has sexual relations with a bondwoman many times, and (2) a Nazirite who is made unclean many times, and (3) he who suspects his wife of adultery with many men, and (4) a *mesora* who was afflicted by *negaim* many times.
    - D [If] he brought his birds and [then] was afflicted with a *nega*, they [the birds] do not go to his credit until he brings his sin offering.
    - E R. Judah says, "Until he brings his guilt offering."
- **2:4** A A woman suffered many miscarriages—
  - B (1) she aborted a female during eighty days, and went and aborted another female during eighty days following, and (2) she who bore a multiple of abortions ["twins"—each in the period of purifying of the foregoing].
  - C R. Judah says, "She [in B2] brings an offering for the first, and she does not bring an offering for the second. She brings an offering for the third, and she does not bring an offering for the fourth."
  - D These bring a sliding scale offering:
  - E (1) for refusing to give evidence ["for hearing the voice" (Lev. 5:1)1;

		<ul> <li>and (2) for an expression of the lips [a rash oath]; and (3) for contaminating the sanctuary and its Holy Things;</li> <li>and (4) the woman who has given birth, and (5) <i>the mesora</i>.</li> <li>F And what is the difference between the bondwoman and other forbidden sexual relationships (Lev. 18)?</li> <li>That they are not alike (1) either in punishment or (2) in the offering [required for the transgression]</li> </ul>			
	Ι	<ul> <li>the transgression]—</li> <li>G For all [other] forbidden sexual relations [are expiated] with a sin offering, but forbidden sexual relations with a bondwoman, with a guilt offering.</li> </ul>			
		H All other sexual relations [are atoned] with a female animal, but the bondwoman, with a male animal [F2]			
	II	I In respect to all other sexual relations, all the same are the man and the woman. They are equivalent as to stripes and as to an offering.			
		J But in respect to the bondwoman, the man is not treated as equivalent to the woman in regard to stripes, and the woman is not regarded as equivalent to the man in respect to an offering [F2].			
	III	<ul> <li>K In respect to all other forbidden sexual relations Scripture has treated him who begins the act as culpable as him who completes it, and he is liable for each and every act of sexual relations [which is not the case here, M. 2:3C1].</li> </ul>			
		<ul> <li>But this strict rule does the law stringently impose in the case of the bondwoman:</li> <li>that it treats in her regard the man who does the act intentionally as equivalent to the one who does it inadvertently.</li> </ul>			
2.5		Will state the hand because of the second state in the second stat			
2:5	A B	What is the bondwoman [to whom reference has been made]? "Any one, half of whom is in bondage and half free [a bondwoman belonging to two			
	C	partners, one of whom has set her free],			
	С	"since it is said, And she has not yet been altogether redeemed (Lev. 19:20), " the words of R. Aqiba.			
D R. Ishm		R. Ishmael says, "This one [the bondwoman] is [simply] a confirmed bondwoman."			
	Ε	R. Eleazar b. Azariah says, "All prohibited sexual relationships are explicitly stated [as wholly free]. What is left to us except one which is half in bondage and half free [= Lev. 19:20]?"			
2:6	А	In all forbidden sexual relationships,			
	B	f] one is an adult and one is a minor, the minor is exempt.			
	C D	<ul><li>[If] one is awake and one is asleep, the one asleep is exempt.</li><li>[If] one does the act inadvertently and one deliberately, the one who does it inadvertently is</li></ul>			
		liable to bring a sin offering, and the one who does it deliberately is subject to extirpation [M. 1:2A].			
3:1		A [If] they said to him, "You have eaten forbidden fat," he brings a sin offering.			
	Ι	B [If] a witness says, "He ate," and a witness says, "He did not eat"—			
		<ul><li>C [of if] a woman says, "He ate," and a woman says, "He did not eat, "</li><li>D he brings a suspensive guilt offering.</li></ul>			
	II	E [If] a witness says, "He ate," and he says, "I did not eat"—			
	III	<ul><li>F he is exempt [from bringing an offering].</li><li>G [If] two say, "He ate," and he says, "I did not eat"—</li></ul>			
	111	<ul> <li>G [If] two say, "He ate," and he says, "I did not eat"—</li> <li>H R. Meir declares liable.</li> </ul>			

- I Said R. Meir, "If two bring upon him the death penalty, which is strict, will they not bring upon him the obligation to an offering, which is lenient?"
- J They said to him, "What if he should choose to say, 'I did it deliberately' [in which case he is exempt from a sin offering, and the witnesses cannot contradict him]?"
- **3:2** A [If] he ate [forbidden] fat and [again ate] fat in a single spell of inadvertence, he is liable only for a single sin offering.
  - B [If] he ate forbidden fat and blood and remnant and refuse [of an offering] in a single spell of inadvertence, he is liable for each and every one of them.
  - C This rule is more strict in the case of many kinds [of forbidden food] than of one kind.
  - D And more strict is the rule in [the case of] one kind than in many kinds:
  - E For if he ate a half-olive's bulk and went and ate a half-olive's bulk of a single kind, he is liable.
  - F [But if he ate two half-olive's bulks] of two [different] kinds, he is exempt.
- **3:3** A And how much should he who eats them tarry?
  - B "As if he ate them as parched corn," the words of R. Meir.
  - C And sages say, "[He is not liable] unless he tarries from beginning to end for sufficient time to eat a half-loaf [of bread]."
  - D [If] one ate unclean foods [or] drank unclean liquids,
  - E drank a quarter-*log* of wine,
  - F and entered the sanctuary and tarried there,
  - G [the measure of time between entering the Temple having eaten unclean food or drunk wine is] sufficient time to eat a half-loaf [of bread].
  - H R. Eleazar says, "If he interrupted it [the act of drinking],
  - I "or put into it [the wine] any amount of water,
  - J "he is exempt."
- **3:4** A There is he who carries out a single act of eating and is liable on its account for four sin offerings and one guilt offering:
  - B An unclean [lay] person who ate (1) forbidden fat, and it was (2) remnant (3) of Holy Things, and (4) it was on the Day of Atonement.
  - C R. Meir says, "If it was the Sabbath and he took it out [from one domain to another] in his mouth, he is liable [for another sin offering]."
  - D They said to him, "That is not of the same sort [of transgression of which we have spoken heretofore since it is not caused by eating (A)]."
- **3:5** A There is he who carries out a single act of sexual intercourse and becomes liable on its account for six sin offerings:
  - B He who has intercourse with his daughter is liable on her account because of violating the prohibition against having intercourse with (1) his daughter, and (2) his sister, and (3) his brother's wife, and (4) his brother's father's wife, and (5) a married woman, and (6) a menstruating woman.
  - C And who has intercourse with his daughter's daughter is liable on her account because of violating the prohibition against having intercourse with (1) his daughter's daughter, and (2) his daughter-in-law, and (3) his wife's sister, and (4) his brother's wife, and (5) his brother's father's wife, and (6) a married woman, and (7) a menstruating woman.

- D R. Yose says, "If the grandfather transgressed and married her, he is liable on her account because of the prohibition of having sexual relations with his father's wife."
- E And so he who has sexual relations with his wife's daughter or with the daughter of the daughter of his wife.
- He who has sexual relations with his mother-in-law is liable on her account because of the 3:6 А prohibition against having sexual relations with (1) his mother-in-law, and (2) his daughter-in-law, and (3) his wife's sister, and (4) his brother's wife, and (5) his father's brother's wife, and (6) a married woman and (7) a menstruating woman.
  - And so is the case for him who has sexual relations with the mother of his mother-in-law В and with the mother of his father-in-law.
  - С R. Yohanan b. Nuri says, "He who has sexual relations with his mother-in-law is liable on her account because of the prohibition against having sexual relations with (1) his motherin-law, and (2) the mother of his mother-in-law, and (3) the mother of his father-in-law."
  - They said to him, "All three in fact fall into a single prohibition." D
- 3:7 А Said R. Agiba, "I asked Rabban Gamaliel and R. Joshua in the meatmarket of Emmaus, where they had gone to buy a beast for the banquet of Rabban Gamaliel's son:
  - Ι "He who has sexual relations with his sister, with his father's sister, and with his В mother's sister in one spell of inadvertence [M. 1:1E9, 10, 11]—what is the rule?
    - С "Is he liable once for all of them, or once for each and every action?
    - "They said to me, 'We have not heard [the rule on that case], but we have heard the D rule, He who has sexual relations with his five wives when they are menstruating, in a single spell of inadvertence, that he is liable for each and every act of sexual relations.
    - Е "And we regard the matters [in the former case] as subject to a proof by an argument a fortiori [from the latter case].""

#### And further did R. Aqiba ask them: А

- "A limb is dangling from a beast—what is the rule?" Π В
  - С They said to him, "We have not heard the rule [for that particular case]. But we have heard the rule concerning a limb which is dangling from a man, that it is deemed clean.
  - "For so did the people afflicted with boils do in Jerusalem: D
  - E "He goes on the eve of Passover to a physician, and he [the physician] cuts [the boil] until he leaves on it a hair's breadth. And he sticks it onto a thorn. And he [the patient] pulls away from it.
  - F "And this one would prepare his Passover. And the physician likewise would prepare his Passover.
  - "And we regard the matters as subject to a proof by an argument a fortiori." G

#### А And further did R. Aqiba ask them: Ш

- "He who slaughters five animal sacrifices outside [the Temple courtyard] in a В single spell of inadvertence, what is the law?
  - "Is he liable for one [single] offering for all of them, or for one [offering] for each С and every act of slaughter?"
  - They said to him, "We have not heard." D

3:8

3:9

- E Said R. Joshua, "I heard [the rule which applies] in the case of him who eats from a single animal sacrifice in five dishes, that he is liable on account of each and every act for violation of the laws of sacrilege.
- F "And I regard the matters as subject to proof by an argument a fortiori."
- G Said R. Simeon, "Not in this way did R. Aqiba interrogate them but in the case of:
- H "One who eats remnant from five animal sacrifices in a single act of inadvertence—t is the law?
- I "Is he liable for a single offering for all of them, or is he liable for an offering for each and every one?
- J "They said to him, 'We have not heard.'
- K "Said R. Joshua, 'I heard that in the case of:
- L "'One who eats from a single animal sacrifice in five dishes in a single ct of inadvertence, that he is liable to bring an offering for each and every one on account of violation of the laws of sacrilege.
- M "And I regard the matters as subject to proof by an argument a fortiori."
- N "Said R. Aqiba, 'If it is law, we shall accept it. But if it is for purposes of argument, there is an answer.'
- O "He said to him, 'Answer.'
- P "He said to him, 'No. If you have so stated in the case of the laws of sacrilege, in which instance the one who gives something to someone else to eat is equivalent to the one who eats, and the one who causes another to enjoy benefit is equivalent to the one who derives benefit himself, joining together a quantity sufficient to be subject to the laws of sacrilege over a long period of time,
- Q "will you say so in the case of remnant, to which none of all of these things apply?"
- **3:10** A Said R. Aqiba, "I asked R. Eliezer, 'He who performs many acts of prohibited labor on many Sabbaths but of a single sort of prohibited labor in a single spell of inadvertence—what is the law?
  - B "'Is he liable for a single offering for all of them, or is he liable for an offering for each and every one?'
  - C "He said to me, 'He is liable for an offering for each and every such action, on the basis of an argument a fortiori:
  - D "'Now if in the case of a menstruating woman, who does not yield many sorts of subdivisions of transgression or many sorts of sin offerings, one is liable for each and every act of sexual relations,
  - E "'the Sabbath, which yields many sorts of subdivisions of transgression [different types of labor] and many sorts of sin offerings on their account— is it not logical that he should be liable for each and every act of labor?'
  - F "I said to him, 'No. If you have so stated in the case of having sexual relations with a menstruating woman, who is subject to two distinct warnings—
  - G "for the man is subject to warning against having sexual relations with a menstruating woman, and a menstruating woman is subject to warning against having sexual relations with the man—
  - H "will you say the same for the Sabbath, to which applies only a single warning?"
  - I "He said to me, 'He who has sexual relations with minors [who are menstruating] will prove the matter. For to them applies only a single warning [that applicable to him, since they are exempt]. Yet he is liable for each and every act of sexual relations.'

- J "I said to him, 'No. If you have so stated in connection with him who has sexual relations with [menstruating] minors, in which instance, even though there is no warning applicable to them now, there will be such a warning applicable to them in due course,
- K "will you so rule in the case of the Sabbath, which is subject to a warning neither now nor in due course?"
- L "He said to me, 'He who has sexual relations with a beast will prove the matter.'
- M "I said to him, 'The beast is subject to the same rule as the Sabbath."
  - A It is a matter of doubt whether or not one has eaten forbidden fat,
     B And even if he ate it, it is a matter of doubt whether or not it contains the requisite volume
- I C Forbidden fat and permitted fat are before him,
- D he ate one of them but is not certain which one of them he ate—
- II E His wife and his sister are with him in the house—
- F he inadvertently transgressed with one of them and is not certain with which of them he transgressed—

## III G The Sabbath and an ordinary day—

4:1

4:2

- H he did an act of labor on one of them and is not certain on which of them he did it—
- I he brings [in all the foregoing circumstances] a suspensive guilt offering.

A Just as, if he ate forbidden fat and [again ate] forbidden fat in a single spell of inadvertence, he is liable for only a single sin offering [M. 3:2A],

- B so in connection with a situation of uncertainty involving them, he is liable to bring only a single guilt offering.
- C If there was a clarification in the meantime,
- D just as he brings a single sin offering for each and every transgression, so he brings a suspensive guilt offering for each and every [possible] transgression.
- E Just as, if he ate forbidden fat, and blood, and remnant, and refuse, in a single spell of inadvertence, he is liable for each and every one [M. 3:2B],
- F so in connection with a situation of uncertainty involving them, he brings a suspensive guilt offering for each and every one.
- I G Forbidden fat and remnant are before him—
- H he ate one of them but is not certain which one of them he ate [M.4:1C-D]—
- II I His wife, who is menstruating, and his sister are with him in the house—

J he inadvertently transgressed with one of them but is not certain with which one of them he has transgressed [M. 4:1E-F]—

- III K The Sabbath and the Day of Atonement—
  - L he did an act of labor at twilight but is not certain on which one of them he did the act of labor [M. 4:1G-H]—
  - M R. Eliezer declares him liable to a sin offering.
  - N And R. Joshua exempts him.
  - O Said R. Yose, "They did not dispute about the case [K-L] of him who performs an act of labor at twilight, that he is exempt.
  - P "For I say, 'Part of the work did he do while it was still this day, and part of it on the next.'

Q "Concerning what did they dispute?

- R "Concerning one who does work wholly on one of the two days but does not know for certain whether he did it on the Sabbath or whether he did it on the Day of Atonement.
- S "Or concerning him who does an act of labor but is not certain what sort of act of labor he has done—
- T "R. Eliezer declares liable to a sin offering.
- U "And R. Joshua exempts him."
- V Said R. Judah, "R. Joshua did declare him exempt even from the requirement to bring a suspensive guilt offering."
- **4:3** A R. Simeon Shezuri and R. Simeon say, "They did not dispute about something which is subject to a single category, that he is liable.
  - B "And concerning what did they dispute?
  - C "Concerning something which is subject to two distinct categories.
  - D "For R. Eliezer declares liable for a sin offering.
  - E "And R. Joshua exempts."
  - F Said R. Judah, "Even if he intended to gather figs but gathered grapes, grapes but gathered figs,
  - G "black ones but gathered white ones, white ones but gathered black ones—
  - H "R. Eliezer declares liable to a sin offering.
  - I "And R. Joshua exempts."
  - J Said R. Judah, "I should be surprised if R. Joshua declared him wholly exempt. If so, Why is it said, *'In which he has sinned'* (Lev. 4:23)?
  - K "To exclude him who was occupied [with some other matter and entirely unintentionally committed a transgression]."
- **5:1** A (1) The blood of slaughtering in the case of cattle, wild beast, and fowl,
  - B whether [said animals are] unclean or clean,
    - C (2) the blood [shed in the case of] stabbing, and (3) the blood [shed in the case] of tearing [the windpipe or gullet],
    - D and (4) the blood let in bloodletting, by which the lifeblood flows out—
    - E they are liable on its account.
    - F (5) Blood from the spleen, (6) blood from the heart, (7) the blood from the eggs [or testicles], (8) the blood of fish, (9) the blood of locusts, (10) blood which is squeezed out [that is, blood which oozes out of the arteries after the lifeblood flows out]—
    - G they are not liable on their account.
    - H R. Judah declares liable in the case of blood which is squeezed out.
- **5:2** A R. Aqiba declares [a person] liable to a suspensive guilt offering in the case of a matter of doubt regarding acts of sacrilege.
  - B And sages declare exempt.
  - C And R. Aqiba concedes that he does not effect his act of restitution [Lev. 5:15–16] until [his act of sacrilege] actually is made known to him. And he brings with it an unconditional guilt offering.
  - D Said R. Tarfon, "How is it that this one brings two guilt offerings?
  - E "But: Let him bring his restitution [for sacrilege] and its added fifth.
  - F "And let him bring a guilt offering worth two *selas* and state, 'If I beyond doubt committed an act of sacrilege, this is restitution for my sacrilege, and this is my guilt offering.

- G "And if it is subject to doubt, then the coins are a freewill offering, and the guilt offering is suspended [conditional]."
- H For the kind of animal that he brings in the case of certainty, he brings in the case of uncertainty.
- **5:3** A Said to him R. Aqiba, "Your opinion is sound in the case of an act of small-scale sacrilege.
  - B "Lo, in the case of one who is in doubt about causing an act of sacrilege for a hundred maneh, is it not better for him to bring a guilt offering worth two *selas* and not bring a restitution for sacrilege in a matter of doubt which costs a hundred *maneh*?"
    - C Thus R. Aqiba concedes the position of R. Tarfon in the case of small-scale sacrilege.
    - D A woman [after giving birth] who brought a sin offering of fowl in a case of doubt [as to the character or viability of the foetus],
    - E if before the neck was severed, it became known to her that she had certainly brought forth [a viable foetus]—
    - F let her make it into an unconditional offering [for certainty].
    - G For the kind of animal that she brings in the case of uncertainty she brings in the case of certainty.
- **5:4** I A A piece of meat of unconsecrated food and a piece of meat of Holy Things—
  - B [if] one ate one of them, and it is not known which of them he ate—
  - C he is exempt.
  - D R. Aqiba declares him liable to a suspensive guilt offering.
  - E [If] he ate the second, he brings an unconditional guilt offering.
  - F [If] one person ate the first and another came and ate the second,
  - G "this one brings a suspensive guilt offering and that one brings a suspensive guilt offering," the words of R. Aqiba.
  - H R. Simeon says, "Both of them bring a single guilt offering."
  - I R. Yose says, "Two do not bring a single guilt offering."
- **5:5** II A A piece of meat of unconsecrated food and a piece of meat consisting of forbidden fat—
  - B [if] one ate one of them, and it is not known which of them he ate—
  - C he brings a suspensive guilt offering.
  - D [If] he ate the second, he brings a sin offering.
  - E [If] one person ate the first, and another came along and ate the second,
  - F this one brings a suspensive guilt offering and that one brings a suspensive guilt offering.
  - G R. Simeon says, "Both of them bring a single sin offering."
  - H R. Yose says, "Two do not bring a single sin offering."
- **5:6** III A A piece of meat consisting of forbidden fat and a piece of meat of Holy Things—
  - B [if one ate one of them, and it is not known which of them he ate—
  - C he brings a suspensive guilt offering.
  - D [If] he ate the second, he brings a sin offering and an unconditional guilt offering.
  - E [If] one person ate the first, and another came along and ate the second,

- F this one brings a suspensive guilt offering, and that one brings a suspensive guilt offering.
- G R. Simeon says, "Both of them bring [one] sin offering and [one] guilt offering."
- Η R. Yose says, "Two do not bring [one] sin offering and [one] guilt offering."

#### A piece of meat consisting of forbidden fat and a piece of meat consisting of 5:7 IV А forbidden fat of Holy Things-

- В [if] one ate one of them, and it is not known which of them he ate-
- С he brings a sin offering.
- D R. Aqiba says, "He brings a suspensive guilt offering."
- E [If] he ate the second, he brings two sin offerings and an unconditional guilt offering.
- F If one person ate the first, and another came along and ate the second, this one brings a sin offering and that one brings a sin offering.
- G R. Agiba says, "This one brings a suspensive guilt offering, and that one brings a suspensive guilt offering."
- R. Simeon says, "This [one brings] a sin offering, and that one, a sin offering. And Η both of them bring a single guilt offering."
- R. Yose says, "Two do not bring a single guilt offering." Ι
- V А A piece of meat consisting of forbidden fat and a piece of meat consisting of forbidden fat which is remnant—
  - В [if] one ate one of them, and it is not known which of them he ate-
  - he brings a sin offering and a suspensive guilt offering. С
  - D [If] he ate the second, he brings three sin offerings.
  - E [If] one person ate the first, and someone else came along and ate the second,
  - F this one brings a sin offering and a suspensive guilt offering, and that one brings a sin offering and a suspensive guilt offering.
  - R. Simeon says, "This one [brings] a sin offering, and that one a sin offering, and G both of them bring a single sin offering [in addition]."
  - Η R. Yose says, "Any sin offering which is brought on account of sin two people do not bring it."
- 6:1 He who brings a suspensive guilt offering, and is informed that he did not commit a sin-А
  - if this was before it was slaughtered, В
  - С "it [the animal] goes forth and pastures among the flock," the words of R. Meir.
  - And sages say, "It is set out to pasture until it is blemished, then it is sold, and its proceeds D fall [to the Temple treasury] as a freewill offering."
  - R. Eliezer says, "It is offered up. E
  - F "For if it does not come on account of this sin, lo, it comes on account of some other sin" [M. 6:3].
  - If after it was slaughtered, he is [so] informed, G
  - Η the blood is to be poured out.
  - And the meat goes forth to the place of burning. Ι
  - [If the man is informed after] the blood is [properly] tossed, the meat is to be eaten. J
  - R. Yose says, "Even if [he is informed while] the blood is in the cup, it is to be tossed, and Κ the meat is to be eaten."

5:8

- **6:2** I A An unconditional guilt offering is not subject to the foregoing rule.
  - B If [the man is so informed] before it is slaughtered, it goes forth and pastures in the flock.
  - C [If the man is so informed] after it has been slaughtered, lo, this is to be buried.
  - D [If the man is so informed after] the blood has been tossed, the meat goes out to the place of the burning.
  - II E The ox which is stoned is not subject to the foregoing rule.
    - F If [it turns out that the ox has not killed a man] before it is stoned, it goes forth and pastures in the flock.
      - G [If it turns out that the ox has not killed a man] after it is stoned, it is available for benefit.
  - III H The heifer whose neck is broken is not subject to the foregoing rule.
    - I If [the murderer is found] before its neck is broken, it goes forth and pastures in the flock.
    - J [If the murderer is found] after its neck is broken, it is buried in its place.
    - K For on account of a matter of doubt did it come in the first place. It has made atonement for its matter of doubt and goes its way [having served its purpose].
- 6:3 A R. Eliezer says, "A man vows a suspensive guilt offering any day and any time he wants.B "And it is called the guilt offering of the pious."
  - C They said concerning Baba b. Buti that he volunteered a suspensive guilt offering every day,
  - D except for the day after the Day of Atonement.
  - E He said, "By this sanctuary! If they would allow me, I should bring [one even this day]. But they say to me, 'Wait until you enter the realm of doubt.""
  - F And sages say, "They bring a suspensive guilt offering only for a matter, the deliberate commission of which is subject to the penalty of extirpation, and the inadvertent commission of which is subject to the penalty of a sin offering [M. 1:2]."
- 6:4 A Those who owe sin offerings and unconditional guilt offerings for whom the Day of Atonement passed [without their making said offerings] are liable to bring [the offerings] after the Day of Atonement.
  - B Those who owe suspensive guilt offerings are exempt.
  - C He who is subject to a doubt as to whether or not he has committed a transgression on the Day of Atonement,
  - D even at twilight,
  - E is exempt.
  - F For the entire day effects atonement.
- **6:5** A A woman who owes a bird offering as a matter of doubt, for whom the Day of Atonement passed [without her making said bird offering] is liable to bring it after the Day of Atonement.
  - B For it renders her fit for eating animal sacrifices [and is not expiatory in character].
  - C A sin offering of fowl which is brought on account of doubt,
  - D if after its neck is pinched it is known [that the woman has not actually sinned at all],
  - E lo, this is to be buried.

- **6:6** I A He who sets aside two *selas* [Lev. 5:15] for a guilt offering and purchased with them two rams for a guilt offering—
  - B if one of them [now] is worth two *selas*,
  - C let it be offered for his guilt offering.
  - D And the second is set out to pasture until it is blemished, then sold, and its proceeds fall [to the Temple treasury] as a freewill offering [M. Tem. 3:3: that is, a guilt offering, the owners of which have effected atonement].
  - II E [If] he purchased with them two rams for unconsecrated use, one worth two *selas* and one worth ten *zuz*
    - F the one worth two *selas* is offered for his guilt offering [incurred through the act of sacrilege (E)].
    - G And the second is for restitution for his sacrilege.
  - III H [If] one was for a guilt offering and one was for unconsecrated purposes,
    - I if the one for the guilt offering was worth two *selas*
    - J it is offered for his guilt offering.
    - K And the second is for restitution for his sacrilege.
    - L And let him bring with it a *sela* and its added fifth.
- 6:7 A He who sets aside his sin offering and dies—
  - B his son should not bring it after him [for a sin the son has committed (M. Tem. 4:1)].
    - C Nor should one bring for one sin [a beast set aside in expiation] for another—
    - D even [a beast set aside as a sin offering] for forbidden fat which he ate last night should he not bring [as a sin offering] for forbidden fat which he ate today,
    - E since it is said, *His offering for his sin* (Lev. 4:28)—
    - F that his offering should be for the sake of his [particular] sin.
- **6:8** A [With funds] consecrated [for the purchase of] a female lamb [as a sin offering], they purchase a female goat.
  - B [With funds] consecrated [for the purchase of] a female goat [as a sin offering], [they bring] a lamb.
  - C [With funds] consecrated [for the purchase of] a female lamb and a female goat [they purchase] turtledoves or young pigeons (Lev. 5:7).
  - D [With funds] consecrated [for the purchase of] turtledoves or young pigeons [they purchase] a tenth of an *ephah* [of fine flour, for a meal offering].
  - E How so?
  - F [If] one set aside [funds] for the purchase of a female lamb or a female goat and then grew poor, he may bring a bird.
  - G [If] he grew still poorer, he may bring a tenth of an *ephah* [of flour].
  - H [If] he set aside funds for a tenth of an *ephah* [of flour] and got rich, he may bring a bird.
  - I [If] he got still richer, he may bring a female lamb or a female goat.
  - J [If] he set aside a female lamb or a female goat and they were disfigured, if he wants, he may bring a bird with their proceeds.
  - K [If] he set aside a bird and it was disfigured, he should not bring a tenth of an *ephah* with its proceeds,
  - L for a bird is not subject to redemption.
- **6:9** A R. Simeon says, "Lambs come before goats in all places [in Scripture].
  - B "Is it possible [that the reason is] that they are choicer?

- C "Scripture states, *And if* [as an alternative] *he bring a lamb as his offering for a sin offering* (Lev. 4:32),
- D "teaching that the two are deemed equivalent.
- E "Turtledoves come before pigeons in all places [in Scripture].
- F "Is it possible [that the reason is] that they are choicer?
- G "Scripture states, A young pigeon or a turtledove for a sin offering (Lev. 12:6),
- H "teaching that the two are deemed equivalent.
- I "The father comes before over the mother in all places [in Scripture].
- J "Is it possible [that the reason is] that the honor owing to the father is superior to the honor owing to the mother?
- K "Scripture states, You shall fear every one his mother and his father (Lev. 19:3),
- L "teaching that the two are deemed equivalent."
- M But: Sages have stated:
- N The father comes before over the mother under all circumstances, because both he and his mother are liable to pay honor to his father.
- O And so with respect to study of Torah:
- P If the son acquired merit [by sitting and studying] before the master, the master takes precedence over the father under all circumstances, because both he and his father are liable to pay honor to his master.

# MEILAH

1:1		А	Most Holy Things which one slaughtered in the south [side of the altar] —
		В	the laws of sacrilege apply to them.
	Ι	С	[If] one slaughtered them in the south and received their blood in the north,
		D	in the north and received their blood in the south.
	II	E	[if] one slaughtered them by day and tossed the blood by night,
		F	by night and tossed the blood by day,
	III	G	or [if] one slaughtered them [with the intention of eating that which is usually eaten
			or offering up that which is usually offered up] outside of their proper time or
			outside of their proper place—
		Η	the laws of sacrilege apply to them.
		Ι	A general principle did R. Joshua state: "Whatever has had a moment of
			availability to [for use by] the priests—the laws of sacrilege do not apply thereto.
		J	"And [whatever] has not [yet] had a moment of availability to the priests—the laws
			of sacrilege do apply thereto."
		Κ	What is that which has had a moment of availability to the priests?
		L	That which [after the proper tossing of the blood] has been left overnight, and that
			which has been made unclean, and that which has gone forth [beyond the veils].
		Μ	And what is that which has not [yet] had a moment of availability to the priests?
		Ν	That which has been slaughtered [with improper intention to eat that which is
			usually eaten or to offer up that which is usually offered up] outside of its proper
			time or outside of its proper place,
		Ο	and that, the blood of which invalid men have received or tossed.

**1:2** A The meat of Most Holy Things which went forth [beyond the veils] before the tossing of the blood—

- B R. Eliezer says, "The laws of sacrilege apply to it. And they are not liable on its account because of violation of the laws of refuse, remnant, and uncleanness."
- C R. Aqiba says, "The laws of sacrilege do not apply to it. Truly are they liable on its account because of violation of the laws of refuse, remnant, and uncleanness."
- D Said R. Aqiba, "Now, lo, he who separates a sin offering which is lost, and separated another in its stead, and afterward the first turns up, and lo, both of them are available—
- E "is it not so that just as its blood exempts its flesh [from the laws of sacrilege], so it exempts the flesh of its fellow?
- F "Now if [the proper tossing of] its blood has exempted the flesh of its fellow from being subject to the laws of sacrilege, is it not logical that it should exempt its own flesh?"
- **1:3** A The sacrificial parts of Lesser Holy Things which went forth [beyond the veils] before the tossing of the blood—
  - B R. Eliezer says, "The laws of sacrilege do not apply to them. And they are not liable on their account because of violation of the laws of refuse, remnant, and uncleanness."
  - C R. Aqiba says, "The laws of sacrilege do apply to them. And they are liable on their account because of violation of the laws of refuse, remnant, and uncleanness."
- **1:4** A A deed having to do with the blood in the case of Most Holy Things produces a ruling which is lenient and one which is stringent.
  - B But in the case of Lesser Holy Things, the whole [tendency] is to impose a stringent ruling.
  - C How so?
  - D Most Holy Things before the tossing of the blood—
  - E the laws of sacrilege apply to the sacrificial parts and to the meat [which is for the priests].
  - F After the tossing of the blood, the laws of sacrilege apply to the sacrificial parts but they do not apply to the flesh.
  - G On account of this and on account of that are they liable because of violation of the laws of refuse, remnant, and uncleanness.
  - H But in the case of Lesser Holy Things, the whole [tendency] is to impose a stringent ruling—how so?
  - I Lesser Holy Things before the tossing of the blood—
  - J the laws of sacrilege do not apply either to the sacrificial parts or to the flesh.
  - K After the tossing of the blood, the laws of sacrilege apply to the sacrificial parts, but they do not apply to the flesh.
  - L On account of this and on account of that they are liable because of violation of the laws of refuse, remnant, and uncleanness.
  - M It turns out that a deed having to do with the blood in the case of Most Holy Things produces a ruling which is lenient and one which is stringent, but in the case of Lesser Holy Things, the whole [tendency] is to impose a stringent ruling.
- **2:1** I A The sin offering of fowl—
  - B the laws of sacrilege apply to it once it [the bird] has been sanctified [designated as a sin offering].
  - C [When] its head has been severed, it is rendered fit to be made invalid by a *tebul-yom* and by one whose rites of atonement have not yet been completed and by being left overnight.
  - D [When] its blood has been tossed, they are liable on its account because of violation of the laws of refuse, remnant, and uncleanness.
  - E And sacrilege does not apply to it [any longer].

- **2:2** II A The burnt offering of fowl—
  - B the laws of sacrilege apply to it once it has been sanctified.
  - C [When] its head has been severed, it is rendered fit to be made invalid by a *tebul-yom* and by one whose rites of atonement have not yet been completed and by being left overnight.
  - D [When] its blood has been squeezed out, they are liable on its account because of violation of the laws of refuse, remnant, and uncleanness.
  - E And the laws of sacrilege apply to it until it is taken out to the ash heap.

#### **2:3** III A Cows which are to be burned and goats which are to be burned—

- B the laws of sacrilege apply to them once they have been sanctified.
- C [When] they have been slaughtered, they are rendered fit to be made invalid by a *tebul-yom* and by one whose rites of atonement have not yet been completed and by being left overnight.
- D [When] their blood has been tossed, they are liable on their account because of violation of the laws of refuse, remnant, and uncleanness.
- E And the laws of sacrilege apply to them in the ash heap until the meat is reduced to cinders.

#### 2:4 IV A The burnt offering—

2:5

- B the laws of sacrilege apply to it once it has been sanctified.
- C [When] it has been slaughtered, it is rendered fit to be made invalid by *a tebul-yom* and by one whose rites of atonement have not yet been completed and by being left overnight.
- D [When] its blood has been tossed, they are liable on its account because of violation of the laws of refuse, remnant, and uncleanness.
- E And the laws of sacrilege do not apply to its hide.
- F But it will be taken out to the ash heap.

#### V A A sin offering, and a guilt offering, and communal sacrifices of peace offerings—

- B the laws of sacrilege apply to them once they have been sanctified.
  - C [When] they have been slaughtered, they are rendered fit to be made invalid by a *tebul-yom* and by one whose rites of atonement have not yet been completed and by being left overnight.
  - D [When] their blood has been tossed, they are liable on their account because of violation of the laws of refuse, remnant, and uncleanness.
  - E The laws of sacrilege do not apply to the meat.
  - F But the laws of sacrilege apply to the sacrificial parts until they are taken out to the ash heap.

## **2:6** VI A The Two Loaves—

B the laws of sacrilege apply to them once they have been sanctified.

C [When] they have formed a crust in the oven, they have been rendered fit to be made invalid by a *tebul-yom* and by one whose rites of atonement have not yet been completed and to have slaughtered the animal sacrifice [which pertains to them (Lev. 23:18)] on their account.

D [When] the blood of the lambs has been tossed, they are liable on their account because of violation of the laws of refuse, remnant, and uncleanness.

E But sacrilege does not apply to them.

#### 2:7 VII A The shewbread—

- B the laws of sacrilege apply to it once it has been sanctified.
- C [When] it has formed a crust in the oven, it has been rendered fit to be made invalid by a *tebul-yom* and by one whose rites of atonement have not yet been completed and to be laid out on the table.
- D [When] the dishes of incense have been offered, they are liable on its account because of violation of the laws of refuse, remnant, and uncleanness.
- E And sacrilege does not pertain to it [any longer].

## 2:8 VIII A Meal offerings—

- B the laws of sacrilege apply to them once they have been sanctified.
- C [When] they have been sanctified in a utensil, they are rendered fit to be made invalid by a *tebul-yom* and by one whose rites of atonement have not yet been completed and by being left overnight.
- D [When] the handful [of the meal offering] has been offered, they are liable on their account because of violation of the laws of refuse, remnant, and uncleanness.
- E And the laws of sacrilege do not apply to the residue. But the laws of sacrilege apply to the handful [of the meal offering itself] until it is taken out to the ash heap.
- **2:9** IX A The handful, the frankincense, the incense, the meal offerings of priests, and the meal offering of the anointed priest, and the meal offering which accompanies drink offerings [M. Zeb. 4:3]—
  - B the laws of sacrilege apply to them once they have been sanctified.
  - C [When] they have been sanctified in a utensil, they are rendered fit to be made invalid by a *tebul-yom* and by one whose rites of atonement have not yet been completed and by being left overnight.
  - D And they are liable on their account because of violation of the laws of remnant and because of violation of the laws of uncleanness.
  - E But the prohibition of refuse does not apply to them.
  - F This is the general principle: For whatever is subject to that which renders the offering permitted are they not liable on account of violation of the laws of refuse, remnant, and uncleanness until what renders the offering permitted has been properly offered.
  - G And for whatever is not subject to that which renders the offering permitted, once it has been sanctified in a utensil are they liable on account of the violation of the laws of remnant, and on account of violation of the laws of uncleanness.
  - H But the law of refuse does not apply to it [at all].
- **3:1** A (1) The offspring of a sin offering, and (2) the substitute of a sin offering, and (3) a sin offering, the owner of which died, are left to die.
  - B [The sin offering] (1) which became superannuated, or (2) which was lost, or (3) which turned out to be blemished,
  - C if [this is] after the owner has effected atonement,
  - D is left to die, and does not impart the status of substitute [to an animal designated in its stead].
  - E And it is not available for enjoyment but is not subject to the law of sacrilege.

- F And if [this is] before the owner has effected atonement,
- G it is put out to pasture until it suffers a blemish, then is sold, and with its proceeds he [the owner] brings another, and it does impart the status of substitute [to an animal designated in its stead].
- H And it is subject to the law of sacrilege.
- **3:2** A He who sets aside coins for his Nazirite offerings [Num. 6:14: a he-lamb as a burnt offering, a ewe-lamb as a sin offering, a ram as a peace offering]—
  - B they [the coins] are not available for benefit.
  - C But they [the coins] are not subject to the laws of sacrilege, because they [the sacrifices] are appropriate to be offered wholly as peace offerings [Lesser Holy Things, not subject to sacrilege before the blood is tossed].
  - D [If] he died,
  - E [if] they were not designated [for their particular, respective purposes], they fall [to the Temple treasury] as a freewill offering.
  - F [If] they were designated [for their particular, respective purposes], the money set aside for the sin offering is to go to the Salt Sea.
  - G They are not available for benefit, but they are not subject to the laws of sacrilege.
  - H [With] the money set aside for the burnt offering, they are to bring a burnt offering.
  - I And [with] the money set aside for peace offerings, they are to bring peace offerings.
  - J And they are eaten for one day [M. Zeb. 5:6] and do not require bread [Num. 6:19].
- **3:3** A R. Simeon says, "Blood is subject to a lenient law at the outset and to a strict law at the end, and the drink offerings are subject to a strict rule at the outset and to a lenient rule at the end.
  - B "The blood at the outset: the laws of sacrilege do not apply to it.
  - C "[When] it has gone forth to the Qidron Brook, the laws of sacrilege apply to it.
  - D "Drink offerings at the outset: the laws of sacrilege apply to them.
  - E "[When] they have gone forth to the pits, the laws of sacrilege do not apply to them."
- **3:4** I A The ashes [of the incense] of the inner altar and [of the wicks that remain] of the candelabrum—
  - B are not available for benefit, but the laws of sacrilege do not apply.
  - C He who sanctifies the ash to begin with—
  - D the laws of sacrilege apply to it.
  - II E (1) Turtledoves which have not yet reached their maturity and (2) pigeons which have become superannuated
    - F are not available for benefit, but the laws of sacrilege do not apply.
    - G R. Simeon says, "Turtledoves which have not yet reached their maturity—the laws of sacrilege apply to them. But pigeons which have become superannuated are not available for benefit, but the laws of sacrilege do not apply."

# **3:5** III A The milk of animal sacrifices and the eggs of turtledoves are not available for benefit, but the laws of sacrilege do not apply to them.

- B Under what circumstances?
- C In the case of what is made holy for the use of the altar.
- D But in the case of what is made holy for the upkeep of the Temple house—
- E [If] one has sanctified a chicken, the laws of sacrilege apply to it and to its egg.

F [If he sanctified] an ass, the laws of sacrilege apply to it and to its milk.

#### **3:6** A Whatever is appropriate for [use on] the altar but not for the upkeep of the house,

- B for the upkeep of the house and not for the altar,
- C not for the altar and not for the upkeep of the house—
- D the laws of sacrilege apply thereto.
- E How so?
- F [If] one sanctified (1) a hole full of water [B], (2) a dung heap full of dung [C], (3) a dovecote full of pigeons [A], (4) a tree covered with fruit, (5) a field full of herbs—
- G the laws of sacrilege apply to them and to what is in them.
- H But if he sanctified (1) a hole, and afterward it filled with water, (2) a dung heap, and afterward it was filled with dung, (3) a dovecote, and afterward it was filled with pigeons, (4) a tree and afterward it filled with fruit, (5) a field and afterward it was filled with herbs—
- I "the laws of sacrilege apply to them, but the laws of sacrilege do not apply to what is in them," the words of R. Judah.
- J R. Simeon says, "He who sanctifies a field and a tree—the laws of sacrilege apply to them and to what grows in them,
- K "for they are the offspring of that which has been consecrated."
- L The offspring of the tithe of cattle may not suck from [a beast that is] tithe [of cattle].
- M And others donate [their beasts] thus [on condition that, if the tithe of their cattle should be a female beast, its milk should not be deemed consecrated but should be available for its offspring].
- N The offspring of a consecrated beast should not suck from consecrated beasts.
- O And others donate their beasts thus.
- P Laborers should not eat of dried figs which have been consecrated.
- Q And so: A cow should not eat of vetches which have been consecrated.
- **3:7** A [If] the roots of a privately owned tree come into consecrated ground,
  - B or those of a tree which is consecrated come into privately owned ground,
  - C they are not available for enjoyment, but they are not subject to the laws of sacrilege.
  - D A well which gushes forth from a field which is consecrated—[the water] is not available for enjoyment, but the laws of sacrilege do not apply.
  - E [If] it went outside of the field, they derive benefit from it.
  - F Water which is in a golden jar—
  - G is not available for benefit but is not subject to the laws of sacrilege.
  - H [If] one put it into a glass, the law of sacrilege applies to it.
  - I The willow branch [set beside the altar]
  - J is not available for benefit but is not subject to the law of sacrilege.
  - K R. Eleazar b. R. Sadoq says, "The elders would take some of it for their *lulabs*."
- **3:8** A A nest which is up at the top of a tree which has been consecrated
  - B is not available for benefit, but is not subject to the law of sacrilege.
    - C And that which is on an *asherah tree*—
    - D one may flick it off with a reed.
    - E He who sanctifies a forest—
    - F the law of sacrilege applies to the whole of it.
    - G And the Temple treasurers who bought wood—
    - H the laws of sacrilege apply to the wood.

- I But the laws of sacrilege do not apply to the chips and [they do] not [apply] to the foliage.
  - A Things consecrated for the altar join together with one another [for making up the requisite quantity—a *perutah*'s worth—to be subject to] the law of sacrilege,
    - B and to impose liability on their account for transgression of the laws of refuse, remnant and uncleanness.
- II C Things consecrated for the upkeep of the house join together with one another [in regard to sacrilege].
- III D Things consecrated for the altar and things consecrated for the upkeep of the house join together [for making up the quantity to be subject to] the law of sacrilege.
- **4:2** A Five things in a burnt offering join together [to form the requisite volume for liability to sacrilege]: (1) the meat, (2) the forbidden fat, (3) the fine flour, (4) the wine, and (5) the oil.
  - B And six in the thank offering [join together]: (1) the meat, (2) the forbid den fat, (3) the fine flour, (4) the wine, (5) the oil, and (6) the bread.
  - C (1) Heave offering, and (2) heave offering of tithe, and (3) heave offering of tithe *of demai*, and (4) dough offering, and (5) first fruits join together
  - D to impose a prohibition and to impose liability to the added fifth on their account.
- **4:3** A All forms of refuse join together.

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- B All forms of remnant join together.
  - C All forms of carrion join together.
  - D All forms of creeping things join together.
  - E The blood of a creeping thing and its flesh join together.
  - F A general principle did R. Joshua state, "All things that are alike in the [duration of] uncleanness of each and in the requisite measure of each join together.
  - G "[If they are alike] (1) in [duration of] uncleanness but not in requisite measure, (2) in requisite measure but not in [duration of] uncleanness, (3) neither in [duration of] uncleanness nor in requisite measure,
  - H "they do not join together [to form the volume that is necessary to convey uncleanness]."
- **4:4** A Refuse and remnant do not join together, because they are of two [different] categories.
  - B The creeping thing and carrion,
  - C and so too, carrion and the flesh of a corpse—
  - D do not join together with one another to impart uncleanness,
  - E even in accord with the lesser of the two of them.
  - F Food which has been made unclean by a Father of Uncleanness and that which has been made unclean by an Offspring of Uncleanness join together to impart uncleanness in accord with the lesser remove of uncleanness of the two of them.
- 4:5 A All foodstuffs join together—
  - B to render the body invalid, at a volume of half a half-loaf of bread;
  - C in the case of food, two meals for an *erub* [M. Erub. 8:2];
  - D in the volume of an olive's bulk to impart uncleanness as food,
  - E in the volume of a fig's bulk in connection with removal [from one domain to another on] the Sabbath [M. Shab. 7:4],

- F and in the volume of a date's bulk [for the volume prohibited for eating] on the Day of Atonement [M. Yom. 8:2].
- G All liquids join together—
- H to render the body invalid, at a volume of a quarter-*log*;
- I and for the mouthful [which it is forbidden to drink] on the Day of Atonement.
- **4:6** A *Orlah* fruit and *Diverse kinds* of the vineyard join together.
  - B R. Simeon says, "They do not join together."
  - C Cloth and sacking, sacking and leather, leather and matting join together with one another.
  - D R. Simeon says, "That is because they are suitable to be made unclean as that which is used for sitting [with *moshav* uncleanness]."
- 5:1 A "He who derives benefit to the extent of a *perutah*'s value from that which is consecrated,
  - B "even though he did not cause deterioration [through use of it]
  - C "has committed an act of sacrilege," the words of R. Aqiba.
  - D And sages say, "Anything which is subject to deterioration through use—he has not committed an act of sacrilege unless he has caused deterioration through use.
  - E "But anything which is not subject to deterioration through use—once he has derived benefit from it, he has committed an act of sacrilege."
  - F How so?
  - G [If a woman] put a chain around her neck,
  - H a ring on her finger,
  - I drank from the cup of gold [M. Tam. 3:4B, used for water for the animal to be offered as the whole offering of the day],
  - J once she has derived benefit from it, she has committed an act of sacrilege.
  - K [If a man] put on a shirt,
  - L covered himself with a cloak,
  - M used an ax to split wood—
  - N he has not committed sacrilege unless he has caused deterioration through use.
  - O [If] he pulled wool out of a sin offering [lamb] when it was alive, he has committed an act of sacrilege only if he has caused deterioration.
  - P But if this was after it was dead, once he has made use of it, he has committed an act of sacrilege.
- **5:2** A [If] one derived benefit to the extent of a half-*perutah* and caused deterioration to the extent of a half-*perutah*,
  - B or [if] he derived benefit to the extent of a *perutah* from one thing and caused deterioration to the extent of a *perutah* in some other thing—
  - C lo, this one has not committed an act of sacrilege—
  - D until he will derive benefit to the extent of a *perutah* and [or] cause deterioration to the extent of a *perutah* in the very same thing.
- **5:3** A One does not commit sacrilege after another has committed sacrilege [in the same thing] in the case of consecrated things,
  - B except for a beast or a utensil or service.
  - C How so [B]?
  - D [If] he rode on a beast and his fellow came along and rode on it and yet another came and rode on it—

- E drank from the golden cup [M. 5:11] and his fellow came along and drank from it, and yet a third party came along and drank from it—
- F pulled wool out of a sin offering [M. 5:10], and his fellow came along and pulled wool from the sin offering, and yet a third came along and pulled wool from the same sin offering—
- G all of them have committed an act of sacrilege.
- H Rabbi says, "Anything which is not subject to redemption *is* subject to a case of sacrilege following sacrilege."
- **5:4** A [If] one took a stone or a beam from what is consecrated, lo, this one has not committed an act of sacrilege.
  - B [If] he gave it to his fellow, he has committed an act of sacrilege.
  - C But his fellow has not committed an act of sacrilege.
  - D [If] he built it into the structure of his house, lo, this one has not committed an act of sacrilege—
  - E until he actually will live under it [and enjoys its use] to the extent of a *perutah's* worth.
  - F [If] he took a *perutah* of consecrated money, lo, this one has not committed an act of sacrilege.
  - G [If] he gave it to his fellow, he has committed an act of sacrilege.
  - H But his fellow has not committed an act of sacrilege.
  - I [If] he gave it to a bath keeper, even though he did not take a bath, he has committed an act of sacrilege.
  - J For he [the bath keeper] says to him, "Lo, the bath is open to you. Go in and take a bath."
- **5:5** A What he has eaten and what his fellow has eaten,
  - B what he has used and what his fellow has used,
  - C what he has eaten and what his fellow has used,
  - D what he has used and what his fellow has eaten
  - E join together with one another—
  - F and even over an extended period of time.
- **6:1** A The agent who carried out his errand [and thereby inadvertently committed an act of sacrilege]—
  - B the householder [who appointed the agent is responsible and] has committed the act of sacrilege.
  - C [If the agent] did not carry out his errand [in committing an act of sacrilege],
  - D the agent [is responsible and inadvertently] has committed the act of sacrilege.
  - E How so?
  - F [If] he said to him, "Give out meat to the guests," but he gave them liver,
  - G "Liver," and he gave them meat—
  - H the agent has committed the act of sacrilege.
  - I [If] he said to them, "Give them one piece each," and he [the agent] said, "Take two each," but they took three each,
  - J all of them are guilty of committing an act of sacrilege.
  - K [If] he said to him, "Bring [such and such a thing] from the window," or, "From the chest," and he brought it to him,
  - L even though the householder said, "I meant *only* from here," and he brought it from there,
  - M the householder has committed the act of sacrilege.
  - N But if he said to him, "Bring it to me from the window," and he brought it from the chest,

- O or "From the chest," and he brought it from the window,
- P the agent has committed the act of sacrilege.
- **6:2** A [If] he sent by means of [an agent who was] a deaf-mute, an imbecile, or a minor [to purchase goods with money which unbeknownst to the sender, was consecrated] I
  - B if they carried out their errand,
  - C the householder has committed the act of sacrilege.
  - D [If] they did not carry out their errand,
  - E the storekeeper has committed the act of sacrilege.
  - F [If] he sent something by means of a person of sound senses,
  - G and realized before he reached the storekeeper [that the coins are consecrated and therefore regretted having sent those coins],
  - H the storekeeper will have committed the act of sacrilege when he pays out [the coins].
  - I What should he [F-G] do?
  - J He should take a *perutah* or a utensil and state, "A *perutah* which is consecrated, wherever it may be, is made unconsecrated by this."
  - K For that which is consecrated is redeemed by money or by something which is worth money.
- **6:3** A [If] he gave him a *perutah* [and] said to him,
  - B "With half of it bring me lamps, and with half of it wicks,"
  - C and [if] he went and brought back lamps for the whole of it or wicks for the whole of it—
  - D or if he said to him, "Bring me lamps for the whole of it," or, "Wicks for the whole of it,"
  - E and he went and brought him lamps for half of it and wicks for half of it,
  - F both of them have not committed an act of sacrilege.
  - G But if he said to him, "Bring me lamps for half of it from such-and-such a place, and wicks for half of it from such-and-such a place, "
  - H and he went and brought for him lamps from the place in which he was supposed to get the wicks, and wicks from the place from which he was supposed to get the lamps,
  - I the agent has committed the act of sacrilege.
- 6:4 A If he gave him two *perutot* [and] said to him, "Bring me an *etrog*,
  - B and he went and brought him an *etrog* for a *perutah* and a pomegranate for *a perutah*,
  - C both of them have committed the act of sacrilege.
  - D R. Judah says, "The householder has not committed an act of sacrilege.
  - E "For he says to him, 'I wanted a big *etrog*, and you brought a small and poor one."
  - F [If] he gave him a golden *denar* [= six *selas*] [and] said to him, "Bring me a shirt,"
  - G and he went and brought him a shirt for three *selas* and a cloak for three,
  - H both of them have committed an act of sacrilege.
  - I R. Judah says, "The householder has not committed an act of sacrilege.
  - J "For he says to him, 'I wanted a large shirt, and you brought me a small and poor one.""
- 6:5 A He who deposits coins with a money changer—
  - B if they were bound up, he [the money changer] should not make use of them.
  - C Therefore if he paid [them] out, he has committed an act of sacrilege.
  - D If they are loose, he may make use of them.
  - E Therefore if he paid them out, he has not committed an act of sacrilege.
  - F [If the owner of the coins] deposited [them] with a householder,

- G one way or the other, he [the householder] should not make use of them.
- H Therefore if he paid them out, he has committed an act of sacrilege.
- I "A storekeeper is deemed equivalent to a householder," the words of R. Meir.
- J R. Judah says, "He is equivalent to a money changer."
- **6:6** A *A perutah* which has been consecrated, which fell into a purse [containing other money],
  - B or if one said, "A *perutah* in this purse is consecrated"—
  - C "as soon as one has paid out the first [coin in the purse],
  - D "he has committed an act of sacrilege," the words of R. Aqiba.
  - E And sages say, "[He has not committed an act of sacrilege] until he has paid out all the money in the purse."
  - F And R. Aqiba concedes in the case of one who says, "A *perutah* in this purse is consecrated," that he goes along and pays out the money [without having committed an act of sacrilege] until he will have paid out all the money which is in the purse.

# TAMID

- **1:1** A In three places do the priests keep watch in the sanctuary: (1) in the room of Abtinas, (2) in the room of the flame, and (3) in the room of the hearth.
  - B The room of Abtinas and the room of the flame were upper rooms.
  - C And youngsters keep watch there.
  - D The room of the hearth is vaulted.
  - E And it was a large room surrounded by a raised pavement of stone.
  - F And the mature members of the [priestly] household [of the day] sleep there [on the raised pavement],
  - G with the keys to the courtyard in their charge,
  - H and [there sleep] the fledgling priests, each with his mattress on the ground.
  - I They [the priests] did not sleep in the consecrated garments.
  - J But they spread them out, doubled them over, and lay them down under their heads, and cover themselves with their own clothes.
  - K [If] one of them should have a nocturnal emission of semen, he goes out, proceeding along the passage that leads below the building—
  - L and lamps flicker on this side and on that—
  - M until he reaches the immersion room.
  - N And there was a fire there,
  - O and a privy in good taste.
  - P And this was its good taste: [if] he found it locked, he knows that someone is there; [if he found it] open, he knows that no one is there.
  - Q He went down and immersed, came up and dried off, and warmed himself by the fire.
  - R He came and sat himself down with his brothers, the priests [in the house of the hearth],
  - S until the gates were opened.
  - T He goes out, proceeding on his way [home].
- **1:2** A He who wants to take up [the ashes] from the altar gets up early,
  - B and immerses before the superintendent comes by.
  - C And at what time does the superintendent come by?
  - D Not all the times are the same.

- E Sometimes he comes at cockcrow, or near then, earlier or later.
- F The superintendent came and knocked on their door.
- G And they opened it to him.
- H He said to them, "Let him who has immersed come and cast lots."
- I They cast lots.
- J Whoever won won.
- **1:3** A He took the key and opened the door and entered via the room of the hearth into the Temple courtyard.
  - B And they entered after him with two lighted torches in their hands.
  - C And they divided into two parties.
  - D These go along the colonnade eastward, and those go along the colonnade westward.
  - E They would go along and inspect [to make sure everything was in order], until they reach the place where they make the baked cakes.
  - F These met up with those.
  - G They said, "Is it in order?"
  - H "All is in order."

1:4

- I They had those who make the baked cakes begin to make baked cakes.
- A He who had won [the right] to take up [the ash] from the altar [Lev. 6:3]—he will take up the ash from the altar.
  - B And they say to him, "Be careful not to touch a utensil [the fire shovel] before you sanctify your hands and your feet in the laver."
  - C And lo, the fire shovel is placed in the corner between the ramp and the altar, at the westward side of the ramp.
  - D No one goes in with him, nor is there a light in his hand.
  - E But he goes along by the light of the altar fire.
  - F They did not see him, nor did they hear a sound from him until they hear the noise of the wooden device which Ben Qatin made for the laver [M. Yom. 3:10].
  - G And they say, "The time has come."
  - H He sanctified his hands and feet with the laver.
  - I He took the silver fire shovel and went up to the top of the altar, and he cleared away the cinders from one side and the other, scooped up the innermost ashes, and came down.
  - J He reached the pavement.
  - K He turned his face northward [toward the altar].
  - L He went along ten cubits to the east of the ramp.
  - M He heaped up the cinders together on the pavement, three handbreadths from the ramp,
  - N the place in which they toss the crops of fowl, and the ashes of the inner most altar and the candlestick.
- **2:1** A His brothers saw that he came down, and they came running.
  - B They hastened and sanctified their hands and their feet from the laver.
  - C They took the shovels and the rakes and went up to the top of the altar.
  - D The limbs and the fat pieces which had not been consumed the preceding night they raked to the sides of the altar.
  - E If the sides did not hold them, they arranged them on the circuit by the ramp.
- **2:2** A They began heaping up ashes on the apple [ash pile].

- B And the apple was in the middle of the altar.
- C Sometimes there were three hundred *kors* [of ashes]
- D And at festival they did not clear away the ashes,
- E for they are an ornament to the altar.
- F The priests never through neglect failed to remove the ashes.
- **2:3** A They began heaping up the twigs to prepare the altar fire.
  - B And are all sorts of wood valid for the altar fire?
    - C Yes.
    - D All sorts of wood are valid for the altar fire,
    - E except for olive wood and wood of the vine.
    - F But with these were they used [to light the fire]: boughs (1) of the fig tree, or (2) of the walnut tree, or (3) of oleaster wood.
- **2:4** A He arranged the altar fire, the larger one on the east side, with its open side [at which side it was tended] facing east.
  - B And the tips of the inner twigs were touching the apple.
  - C And there was a space between the twigs, through which they set fire to the kindling wood.
- **2:5** A They selected from there fine pieces of fig wood [= M. 2:3F1] [with which] to arrange the second altar fire, [the one] for the incense,
  - B toward the southwestern corner, four cubits to the north of the corner.
  - C [On weekdays, they took] sufficient [wood to produce] an amount of five *seahs* of cinders, and on the Sabbath, sufficient for an amount of eight *seahs* of cinders.
  - D For there [A] did they place the two dishes of frankincense which accompany the shewbread.
  - E The limbs and pieces of fat which had not been consumed the preceding evening they put back onto the altar fire.
  - F They kindled the two altar fires.
  - G And they came down.
  - H And they went to the office made of hewn stone.
- **3:1** A The superintendent said to them, "Come and cast lots [to determine] (1) who executes the act of slaughter, (2) who tosses the blood, (3) who removes the ashes of the inner altar, (4) who removes the ashes of the candlestick, (5) who carries up the limbs to the ramp:
  - B "(1) the head, (2) the [right] hind leg, (3) the two forelegs, (4) the rump, and (5) the [left] hind leg, (6) the breast, (7) the neck, (8) the two flanks, (9) the innards, (10) the fine flour, (11) the cakes, (12) the wine."
  - C They drew lots.
  - D Whoever won won.
- **3:2** A The superintendent said to them, "Go and see whether the time for carrying out the act of slaughter has come."
  - B If it had come, the one who sees it says, "It is daylight."
  - C Matya b. Samuel says, "[He who sees it says,] 'The whole eastern horizon is light.'
  - D "'Up to Hebron?'
  - E "And he says, 'Yes.""

- **3:3** A He said to them, "Go and bring a lamb from the lamb office."
  - B Now lo, the lamb office was located at the northwestern corner.
  - C And there were four offices there:
    - (1) one was the lamb office;
    - (2) and one was the seal office;
    - (3) and one was the hearth office;
    - (4) and one was the office in which they would prepare the shewbread.
- **3:4** A They went into the office for utensils and brought out from there ninety three silver and gold utensils.
  - B They gave [the lamb which was to be] the daily whole offering a drink from a golden cup.
  - C Even though it was inspected the preceding night, they inspect it again by the light of the torches.
- **3:5** A He who had won [the right to carry out the rite] of the daily burnt offering drags it along down to the shambles, and those who had won the right to offer up the limbs go after him.
  - B The shambles was located at the north of the altar, and on it were eight short pillars, and square blocks of cedar wood were on them.
  - C And iron hooks were set into them.
  - D And there were three rows [of hooks] on each one [block], on which they would suspend [the slaughtered beasts].
  - E And they flay them on marble tables between the pillars.
- **3:6** A Those who had won the right to remove the ashes of the inner altar and of the candlestick would go first,
  - B with four utensils in their hand, the ash bin, the oil jar, and two keys.
  - C The ash bin is like a large golden three-*qab* measure. It holds two and a half *qabs*.
  - D The oil jar is like a large golden flagon.
  - E The two keys—one goes down [into the lock] as far as its armpit, and one opens [the door] forthwith.
- **3:7** A He came to the northern door.
  - B And the great gate had two [such] doors, one at the north, and one at the south.
  - C Into that at the south no man ever entered. And this is expressly stated concerning it by Ezekiel: And the Lord said to me, This gate shall be shut, it shall not be opened, neither shall any man enter in by it, for the Lord, the God of Israel, hath entered in by it: therefore it shall be shut (Ez. 44:2).
  - D He took the key and opened the door.
  - E He went into the cell, and from the cell into the *hekhal*, until he came to the great gate.
  - F He came to the great gate.
  - G He removed the bolt and the locks and opened it up.
  - H The one who was going to execute the act of slaughter did not perform the act of slaughter until he heard the sound of the great gate opening.
- **3:8** A (1) From Jericho did they hear the sound of the great gate opening.
  - B (2) From Jericho did they hear the sound of the shovel [M. 5:6].
  - C (3) From Jericho did they hear the sound of the wooden device which Ben Qatin made for the laver.

- D (4) From Jericho did they hear the sound of Gabini, the crier.
- E (5) From Jericho did they hear the sound of the flute.
- F (6) From Jericho did they hear the sound of the cymbal.
- G (7) From Jericho did they hear the sound of the singing.
- H (8) From Jericho did they hear the sound of the *shofar*
- I There are those who say, "Also the voice of the high priest when he made mention of the divine name on the Day of Atonement."
- J (9) From Jericho did they smell the scent of the compounding of the incense.
- K Said R. Eleazar b. Diglai, "My father's house and goats were on the mountain of Mikhwar. And they sneezed from the smell of the compounding of the incense."
- **3:9** A He who had won the right to collect the ash of the inner altar entered in.
  - B And he took the ash bin, put it down before him, and scooped up ashes with both hands and put them into it.
  - C And at the end he swept the rest into it.
  - D And he left it and went out.
  - E He who had won the right to clean the candlestick entered, and, [if] he found the two eastern lights flickering, he cleaned the rest and left those flickering in their place.
  - F [If] he found that they had gone out, he cleaned them and lit them from those which were [yet] flickering.
  - G A stone was before the candlestick, and on it were three steps, on which the priest stands and fixes up the lamps.
  - H And he left the oil jar on the second step and went out.
  - A They did not [wholly] bind up the lamb but [only] tied it[s foreleg and hind leg].
    - B Those who had won [the privilege of taking] the limbs take hold of it.
      - C And thus was the manner of tying it:
        - D its head to the south [toward the altar], and its face to the west [toward the *heikhal*].
      - E He who effects the act of slaughter stands in the east with his face to the west.
      - F And that [daily whole offering] of the dawn was slaughtered at the northwestern corner, at the second ring.
      - G That [daily whole offering] of twilight was slaughtered at the northeastern corner [of the altar], at the second ring.
      - H The slaughterer slaughtered.
      - I The one who receives the blood received the blood.
      - J He came to the northeastern corner.
      - K He tosses [the blood] in a northeasterly direction.
      - L [Then he came] to the southwestern corner.
      - M He tosses [the blood] in a southwesterly direction.
      - N The residue of the blood did he pour out on the southern base [of the altar].
- **4:2** A He [who slaughtered the daily whole offering] did not break the hind leg. But he pierces it at the knee joint and hangs it up therewith.
  - B He did flay it downward, until he reached the breast.
  - 2 C [When] he reached the breast, he cut off the head and gave it to him who had won it.
    - D He cut off the shanks and gave them to him who had won them.
      - E He stripped off the hide.
        - F He cut open the heart and removed its blood.

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- 4 G He cut off the forelegs and gave them to him who had won them.
- 5 H He came up to the right hind leg, cut it off, and gave it to him who had won it, and the two testicles with it.
  - I He cut it [the carcass] open, so that all of it was open before him.
  - J He took the fat and put it at the place at which the head had been cut off above.
  - K He took the innards and gave them to him who had won them, for the purpose of washing them.
    - L And as to the stomach: they wash it in the swilling room, so much as was required.
    - M And as to the innards: they wash them three times at the very least, on the marble tables which are between the pillars.
- **4:3** A He took the knife and separated the lungs from the liver, and the lobe of the liver from the liver.
  - B But he did not move it from its place.

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- C He pierced the breast and gave it to him who had won it.
  - D He proceeded to the right flank and did cut it downward to the backbone—
  - E but he did not touch the backbone—
  - F until he reached the two thin ribs.
- 8 G He cut it off and gave it to him who had won it, with the liver suspended from it.
  - H He came to the neck, and left with it two ribs on this side and two ribs on that side.
- 9 I He cut it off and gave it to him who had won it, with the windpipe, heart, and lungs hanging from it.
  - J He came to the left flank and left with it two thin ribs above and two thin ribs below.
  - K And so did he leave them on the other side.
  - L It turns out that he left on both of them two each above and two each below.
- 10 M He cut it off and gave it to him who had won it, and the backbone with it, and the spleen hanging from it.
  - N This was the larger part, but that of the right side do they call the larger part, for the liver is suspended on it.
- 11 O He came to the rump, cut it off, and gave it to him who had won it, with the fat tail, and the lobe of the liver, and the two kidneys with it.
- 12 P He took the left hind leg and gave it to him who had won it.

Q All of them turned out to be standing in a row, and the limbs in their hands:

(1) the first, with the head and a hindleg, the head in his right hand, with its muzzle along his arm, and its horns in his fingers, and the place at which it was slaughtered turned upwards, and the fat set on top of it [that place], and the right hind leg in his left hand, and the flayed end outermost;

(2) the second, with the two forelegs, that of the right hand in his right hand, and that of the left in his left, with the flayed end outermost;

(3) the third, with the rump and the [other] hind leg, the rump in his right hand, and the fat tail hanging down between his fingers, and the lobe of the liver and the two kidneys with it, the left hind leg in his left hand, with the flayed end outermost;(4) the fourth, with the breast and the neck, the breast in his right hand, and the neck in his left, and with its ribs between his fingers;

(5) the fifth with the two flanks, that of the right in his right hand, that of the left in his left, with the flayed ends outwards;

(6) the sixth, with the innards put in a dish, and the shanks on top of them, above;

(7) the seventh, with the fine flour;

(8) the eighth, with the baked cakes;

- (9) the ninth, with the wine.
- R They went and put them on the lower half of the ramp, on the west side of it.
- S And they salted them [the limbs and meal offering].
- T Then they came down and came to the office of hewn stone to recite *the Shema*.
- **5:1** A The superintendent said to them, "Say one blessing."
  - B They said a blessing, pronounced the Ten Commandments, the *Shema* [*Hear O Israel* (Dt. 6:4–9)], *And it shall come to pass if you shall hearken* (Dt. 11:13–(21), and *And the Lord spoke to Moses* (Num. 15:37–41).
    - C They blessed the people with three blessings: *True and sure, Abodah, and* the blessing of priests.
    - D And on the Sabbath they add a blessing for the outgoing priestly watch.
- **5:2** A [The superintendent] said to them, "Those who are new to [the preparation of] the incense, come and cast lots."
  - B They cast lots.
  - C Whoever won won.
  - D "Those who are new with those who have had a chance [compare Song of Songs 7:14], come and cast lots on who will bring up the limbs from the ramp to the altar."
  - E R. Eliezer b. Jacob says, "He who brings up the limbs to the ramp [without another lottery] is the one who brings them up onto the altar."
- **5:3** A They handed them [who had no assignment] to the ministers.
  - B They did remove their clothing from them.
  - C And they left them only their underpants alone.
  - D And there were wall niches there, on which were written [the names] of the various pieces of clothing.
- **5:4** A He who won [the right to offer] the incense did take the spoon.
  - B And the spoon was like a large gold three-*qab* measure, holding three *qabs*.
  - C And the dish was in it, full and heaped up with incense.
  - D And it had a cover.
  - E And there was a kind of covering on it.
- **5:5** A He who won [the right to the ashes with] the firepan took the silver firepan and went up to the top of the altar and cleared away the cinders in either side and scooped up [ashes with the firepan].
  - B He came down and emptied them out into that [firepan] of gold.
  - C About a *qab* of cinders scattered from it, and he swept them out into the water channel.
  - D And on the Sabbath he covered over them with a *psykter*.
  - E And a *psykter* was a large utensil, holding a *letekh*, and two chains were on it, one with which he pulled to lower it, and one with which it was held firm from above, so that it should not roll.
  - F And three purposes did it serve:
    - (1) they turn it over on top of cinders;
    - and (2) on a creeping thing on the Sabbath;
    - and (3) they lower the ashes from on the altar with it.

- **5:6** A [When] they reached the area between the porch and the altar, one man took the shovel and tosses it between the porch and the altar.
  - B No one in Jerusalem hears the voice of his fellow on account of the noise of the shovel.
  - C And three purposes did it serve:

(1) a priest who hears its sound knows that his brethren the priests enter in to prostrate themselves, and he then runs and comes along;

(2) and a son of a Levite who hears its noise knows that his brethren, the Levites, enter to say their song, and he then runs and comes along;

(3) and the head of the priestly watch then had the unclean people stand at the eastern gate.

- **6:1** A They [the priests who were in charge of the incense and of removing the ashes] began to go up onto the steps of the porch.
  - B Those who had won [the right to remove] the ashes of the inner altar and the candlestick went before them [= M. 3:6A].
  - C He who had won [the right to clean] the ashes of the inner altar went in and took the basket [left at M. 3:9] and prostrated himself and went out.
  - D He who had won [the right to remove] the ashes of the candlestick entered in.
  - E And [if] he found the two easternmost lamps still flickering, he clears out the eastern one and leaves the western one flickering,
  - F for from it did he kindle the candlestick at twilight.
  - G [If] he found that it had gone out, he cleaned it out and kindled it from the altar of the whole offering [M. 3:9E-F].
  - H He took the oil jar from the second step [M. 3:9I] and prostrated himself and went out.
- **6:2** A He who had won [the right to make use of] the firepan heaped up the cinders on the [inner] altar and tamped them down with the back of the firepan and prostrated himself and went out.
- **6:3** A He who had won [the right to prepare] the incense did take the dish from the middle of the ladle and gave it [the ladle] to his friend or his relative.
  - B [If] it had spilled [from the firepan] into it [the ladle], he put it into his two hands.
  - C And they instruct him: "Be careful not to begin in front of you lest you be burned."
  - D He began to tamp down and come out.
  - E The one who was to offer the incense did not offer the incense until the superintendent said to him, "Offer the incense."
  - F If he was a high priest, the superintendent says, "My lord, high priest, offer the incense."
  - G The people departed, and he offered the incense and prostrated himself and went out.
- **7:1** A When the high priest enters to prostrate himself, three [priests] support him: one by the right hand, one by the left, and one by the precious stones [on the shoulder pieces of the ephod, Ex. 28:9].
  - B And as soon as the superintendent heard the sound of the feet of the high priest, that he goes out [of the *heikhal*], he raised the curtain for him.
  - C He went in and prostrated himself and went out.
  - D And his brethren the priests went in and prostrated themselves and went out.
- **7:2** A They [the priests who had participated] came and stood on the steps of the porch.

- B They who were first [the one who removed the ashes of the inner altar, and the one who cleaned up the candlestick, the one who carried the shovel and the one who offered the incense and his associate] took up a position at the south of their brethren, the priests.
- C And five utensils were in their hand: (1) the ash bin in the hand of one, (2) the oil jar in the hand of one, and (3) the fire shovel in the hand of one, (4) the [incense] dish in the hand of one, and (5) the ladle and its cover [M. 5:4] in the hand of one.
- D They said one [priestly] blessing for the people [Num. 6:24–26].
- E But: In the provinces they say it as three blessings, and in the sanctuary, as one blessing.
- F In the sanctuary they would pronounce the [divine] name as it is written, and in the provinces, by an epithet.
- G In the provinces the priests raise up the palms of their hands as high as their shoulders, and in the sanctuary, over their heads,
- H except for the high priest, who does not raise his hands higher than the frontlet.
- I R. Judah says, "Even the high priest raises his hands above the frontlet,
- J "since it is said, And Aaron lifted up his hands toward the people and blessed them (Lev. 9:22)" [M. Sot. 7:6].
- **7:3** A When the high priest wants to burn the offerings, he would go up on the ramp, with the prefect at his right.
  - B [When] he reached the half way point of the ramp, the prefect took him by the right hand and led him up.
  - C The first [of the nine priests, M. 4:3] handed him the head and the hind leg, and he laid his hands on them and tossed them [into the altar fire].
  - D The second handed over to the first the two forelegs. He gives them to the high priest. And he laid his hands on them and tossed them [into the altar fire].
  - E The second departed, going on his way.
  - F And so did they hand over to him all the rest of the limbs, and he lays his hands on them, and tosses them [into the altar fires].
  - G And when he wants, he lays on his hands, but others throw [the pieces into the fire].
  - H He comes then to walk around the altar [toward the right, to the southwestern corner].
  - I From what point does he begin?
  - J From the southeastern corner, then northeastern one, northwestern, and southwestern [see M. Zeb. 5:3].
  - K They gave him wine to pour out.
  - L The prefect stands at the corner, with a flag in his hand, and two priests stand at the table of the fat pieces, with two silver trumpets in their hands.
  - M They sounded a prolonged sound, a wavering sound, and a prolonged sound.
  - N They came and stood near Ben Arza, one on his right, one on his left.
  - O He stepped down to pour out the wine, and the prefect waved the flag, and Ben Arza dashed the cymbal, and the Levites broke out in song.
  - P [When] they reached a break [in the singing], they sounded a prolonged sound, and the people prostrated themselves.
  - Q At every break [in the singing] was a prolonged blast, and at every pro—longed blast, a prostration.
  - R This is the order of the daily whole offering in the liturgy of the house of our God. May it be [his] will that it be rebuilt, soon, in our own days. Amen.
- **7:4** A The singing which the Levites did sing in the sanctuary:

- B On the first day they did sing, *The earth is the Lord's and the fulness thereof, the world and they who live therein* (Ps. 24).
- C On the second day they did sing, *Great is the Lord and highly to be praised in the city of our God, even upon his holy hill* (Ps. 48).
- D On the third day they did sing, God stands in the congregation of God, he is a judge among the gods (Ps. 82).
- E On the fourth day they did sing, *O Lord God to whom vengeance belongs, thou God to whom vengeance belongs, show yourself* (Ps. 94).
- F On the fifth day they did sing, *Sing we happily to God our strength, make a joyful noise to the God of Jacob* (Ps. 81).
- G On the sixth day they did sing, *The Lord is king and has put on glorious apparel* (Ps. 93).
- H On the Sabbath day they did sing, A *Psalm, A song for the Sabbath day* (Ps. 92)—
- I A psalm, a song for the world that is to come, for the day which is wholly Sabbath rest for eternity.

# MIDDOT

- **1:1** A In three places do the priests keep watch in the sanctuary: (1) in the room of Abtinas, (2) in the room of the flame, and (3) in the room of the hearth.
  - B And the Levites [keep watch] in twenty-one places [I Chron. 26:17–18]:
  - C five at the five gates of the Temple mount;
  - D four at the four corners on the inside [of the Temple wall];
  - E five at the five gates of the courtyard;
  - F four at the four corners on the outside [the wall of] the courtyard;
  - G and one at the office of the offering [M. 1:6],
  - H and one at the office of the veil,
  - I and one behind the Mercy Seat [outside of the western wall of the holy of holies, M. 5:1].
- **1:2** A The man in charge of the Temple mount would go around to every watch, and lighted torches were [flaring] before him.
  - B And to any watch which was not standing did the man in charge of the Temple mount say, "Peace be with you."
  - C [If] it was obvious that he was sleeping, he beats him with his staff.
  - D And he had the right to burn his garment.
  - E And they say, "What is the noise in the courtyard?"
  - F "It is the noise of a Levite being smitten, and his clothing being burned, for he went to sleep at his post."
  - G R. Eliezer b. Jacob says, "One time they found my mother's brother sleeping and burned his garment."
- **1:3** A Five gates were in the [wall of the] Temple mount:
  - B two Hulda gates at the south, serving for entry and exit;
  - C Qiponos gate on the west, serving for entry and exit;
  - D Tadi gate on the north, serving no purpose at all;
  - E the Eastern Gate—
  - F on it is a picture of the Walled City of Shushan—

- G through which the high priest who burns the red cow, and the cow, and all who assist in its rite, go forth to the Mount of Olives [M. Par. 4:1]
- **1:4** A Seven gates were in the courtyard:
  - B three at the north, three at the south, and one at the east.
  - C That on the south was the gate for kindling, next to it, the gate for the firstlings, next to that, the gate for water.
  - D And that on the east is the gate of Niqanor.
  - E And it had two offices, one at the right, one at the left.
  - F One was the office of Pinhas, the keeper of the vestments, and one was the office of those who make the baked cakes [M. Tam. 1:3].
- **1:5** A And that on the north is the gate of the flame.
  - B And it was like a portico, with an upper room built on it,
  - C through which the priests keep watch from above, and the Levites from below.
  - D And it had a door opening out to the rampart.
  - E Next to it was the gate of the offering, and next to that, the [gate of] the room of the hearth.
- **1:6** A Four offices were in the room of the hearth,
  - B like cells opening into a hall,
  - C two in the sanctuary, two in unconsecrated ground,
  - D and flagstones' ends made a border between what was consecrated [in the area of the courtyard] and what was unconsecrated [north of the room of the hearth].
  - E And what were their purposes?
  - F That on the southwestern side was the office for the lamb offerings.
  - G That on the southeastern side was the office for those who make the shewbread.
  - H In that on the northeastern side did the Hasmoneans put away the stones of the altar which had been rendered abominations by the kings of Greece.
  - I Through that on the northwestern side do they go down to the room for immersion [M. Tam. 1:1 the office of the room of the hearth].
- **1:7** A Two gates were in the room of the hearth, one open to the rampart, and one open toward the courtyard.
  - B Said R. Judah, "This one which was open toward the courtyard had a small door, through which they enter to inspect the courtyard."
- **1:8** A The room of the hearth is vaulted. And it was a large room, surrounded by a raised pavement of stone.
  - B And the mature members of the [priestly] household [of the day] sleep there [on the raised pavement], with the keys to the courtyard in their hands.
  - C And the fledgling priests [sleep], each with his mattress on the ground.
- **1:9** A And there was a place there [in the room of the hearth], one cubit square, in which was a slab of marble, with a chain attached.
  - B And the key chain was suspended from it.
  - C When the time came for locking up, one lifted up the slab by the ring and took the keys from the chain.
  - D And the priest locked from the inside, and the Levite went to sleep on the outside.

- E [When] he finished locking, he returned the keys to the chain and the slab to its place.
- F He put his bedding on it.
- G He went to sleep.
- H [If] one of them should have a nocturnal emission of semen, he goes out, proceeding along the passage that leads below the building—
- I and lamps flicker on this side and on that—
- J until he reaches the immersion room.
- K R. Eliezer b. Jacob says, "He goes out by the passage which leads below the rampart, and so he came to the Tadi gate."
- **2:1** A The Temple mount was five hundred cubits by five hundred cubits [Ezek. 42:20].
  - B Its largest [open space] was at the south, second largest, at the east, third largest, at the north, and least, at the west.
  - C The part which was the most extensive [of its open space] was [also] the part which was most used [by those entering the area].
- **2:2** A All those who enter the Temple mount enter at the right, go around, and leave at the left,
  - B except for him to whom something happened, who goes around to the left.
    - C "What ails you, that you go around to the left?"
    - D "For I am a mourner."
    - E "May he who dwells in this house comfort you."
    - F "That I am excommunicated."
    - G "'May he who dwells in this house put it into their heart that they draw you nigh again," the words of R. Meir.
    - H Said to him R. Yose, "You have treated the matter as if they have transgressed the law on his account.
    - I "But: 'May he who dwells in this house put it into your heart that you listen to the opinion of your fellows, and they draw you nigh again.""
- **2:3** A Inside it [the Temple mount, surrounding the inner area which contained the women's court and the Temple court] is a latticed railing, ten handbreadths high.
  - B There were thirteen breaches in it,
  - C which the kings of Greece opened up.
  - D They went and closed them up again and decreed on their account thirteen prostrations.
  - E Inside it is the rampart, ten cubits [wide].
  - F And there were twelve steps there [leading up from the rampart to the women's courtyard].
  - G The height of each step is a half-cubit, and its tread, a half-cubit.
  - I H All the steps which were there [within the Temple mount] were a half a cubit in height and a half-cubit in tread, except for those of the porch [which had a tread of a cubit].
  - II I All of the entrances and gates which were there were twenty cubits high and ten cubits wide, except for that of the porch.
  - III J All the entrances which were there had doors, except for that of the porch [M. 3:7].
  - IV K All the gates which were there had lintels, except for the Tadi gate, which had two stones leaning against one another [as a pointed arch].
  - V L All the gates which were there were changed [and covered] with gold, except for Niqanor's gate, because a miracle was done with them [M. Yom. 3:10].

M And there are those who say, "Because their bronze shone like gold."

## **2:4** VI A All the walls which were there were high, except the eastern wall [of the Temple mount] [Ez. 40:5].

- B For the priest who burns the red cow stands at the top of the Mount of Olives and takes his direction, looking directly at the door of the *heikhal*, at the time of the tossing of blood.
- **2:5** A The women's courtyard was one hundred thirty-five cubits in length by one hundred thirty-five cubits in breadth.
  - B And there were four offices at each of its four corners, each forty cubits square.
  - C They had no roofs.
  - D And so are they destined to be [in the future],
  - E since it is written, *Then he brought me forth into the outer court and caused me to pass by the four corners of the court; and behold, in every corner of the court there was a court. In the four corners of the court there were courts enclosed* [Ezek. 46:21–22]—
  - F and 'enclosed' means only, without roofs.
  - G And what was their purpose?
  - H That in the southeastern corner was the office of the Nazirites, in which the Nazirites cook their peace offerings, shave off their hair, which they throw under the pot [Num. 6:18, M. Naz. 6:8].
  - I That in the northeastern corner was the office in charge of the wood supply, in which the priests who are blemished examine the wood [for worms].
  - J And any piece of wood in which a worm is found is invalid for use on the altar.
  - K That on the northwestern corner was the office of the lepers.
  - L That in the southwestern corner—
  - M said R. Eliezer b. Jacob, "I forget what its purpose was."
  - N Abba Saul says, "There did they keep the wine and oil."
  - O It was called the office of the oil room.
  - P And it [the women's court] at first was empty [of buildings]. They surrounded it with a gallery, so that the women look on from above, with the men below, so that they should not mingle.
  - Q And fifteen steps go up from it to the Israelite courtyard,
  - R one each for the fifteen Songs of Ascents in Psalms [Ps. 120–134],
  - S on which the Levites say their song.
  - T They were not four-square but rounded like half of a round threshing floor.
- **2:6** A And offices were [located] underneath the Israelite courtyard,
  - B opening out onto the women's courtyard,
  - C in which the Levites keep their harps, lyres, cymbals, and other musical instruments.
  - D The Israelite courtyard was one hundred thirty-five cubits in length by eleven cubits in breadth.
  - E And so too was the courtyard of priests a hundred thirty-five cubits in length by eleven cubits in breadth.
  - F And the tops of flagstones form a border between the Israelite courtyard and the priests' courtyard.
  - G R. Eliezer b. Jacob says, "There was a step, a cubit high, and the platform [for the Levites] was set on it, and on it were three [more] steps, each a half cubit high.

- H "It comes out that the priests' courtyard was two and a half cubits higher than the Israelite courtyard."
- I All the courtyard was a hundred eighty-seven cubits long by a hundred and thirty-five cubits wide.
- J And there were thirteen places where prostrations were to take place there [M. 2:3D].
- K Abba Yose b. Hanan says, "Opposite thirteen gates [vs. M. 1:4–5]."
- L The southern gates, [counting] from the west: (1) the upper gate, (2) the kindling gate, (3) the gate for the firstlings, (4) the gate for water.
- M And why was it called the gate for water?
- N For through it do they bring in the glass of water for the water libation on the Festival [Sukkot].
- O R. Eliezer b. Jacob says, "And through it the waters trickled forth [Ezek. 47:2] and in the future will issue out from under the threshold of the house [Ezek. 47: 1]."
- P And opposite them at the north [counting] from the west: (5) the gate of Jeconiah, (6) the gate for the offering, (7) the gate for women, (8) the gate for song.
- Q And why was it called the gate of Jeconiah?
- R For through it did Jeconiah go forth when he went out into exile.
- S And that in the east:
- T (9) Niqanor's gate.
- U And it had two doors, one on the right, and one on the left.
- V And (10, (11) the two [gates] on the west had no name.
- **3:1** A The altar was thirty-two by thirty-two [cubits] [at the base].
  - B It rose by one cubit and drew in by one cubit [on every side].
  - C This is the foundation.
  - D Thus was left [an area] thirty cubits by thirty.
  - E It rose by five cubits and drew in by one cubit.
  - F This is the circuit.
  - G Thus was left [an area] twenty-eight by twenty-eight.
  - H The area of the horns is a cubit on this side and a cubit on that side.
  - I Thus was left [an area] twenty-six by twenty-six.
  - J The place for the passage of the priests is a cubit on this side and a cubit on that side.
  - K Thus was left [an area] twenty-four by twenty-four [as] the place for the [altar] fire.
  - L Said R. Yose, "At the outset it was only twenty-eight by twenty-eight. It draws in and rises in this same measure, so that the area for the altar fire turns out to be twenty by twenty [II Chron. 4: 1].
  - M "But when the men of the Exile came up, they added four cubits at the south and four cubits at the west, in the shape of a gamma,
  - N "since it is said, And the altar hearth shall be twelve cubits long by twelve broad, square (Ezek. 43:16).
  - O "Is it possible that it should be only twelve by twelve?
  - P "But when it also says, In the four quarters thereof, it teaches that from the middle one measures twelve cubits in all directions" [so that the area for the altar fire must be twenty-four by twenty-four].
  - Q And a red line goes around it at the middle, to effect a separation between the drops of blood which are tossed on the top and the drops of blood which are tossed on the bottom.
  - R And the foundation extended all the length of the north side and all the length of the west side,
  - S and projects one cubit to the south and one cubit to the east.

- **3:2** A And at the southwestern corner [of the foundation] were two holes,
  - B like two narrow nostrils,
    - C through which the drops of blood which are tossed on the western foundation and on the southern foundation descend and mix together in the channel and go forth to Qidron brook [M. Tam. 4:1].
- **3:3** A Below, on the pavement, at that corner was a place a cubit by a cubit, on which was a slab of marble;
  - B and a ring was fixed to it, on which they go down to the pit [M. Me. 3:3] and clean it.
  - C And a ramp was at the south of the altar, thirty-two by a breadth of sixteen.
  - D And on its western side was a hole,
  - E into which they put those sin offering of fowl which were invalid.
- **3:4** A All the same are the stones of the ramp and the stones of the altar:
  - B [they come] from the valley of Bet Kerem.
  - C And they dig beneath virgin soil and bring whole stones from there, on which iron has not been lifted up [Dt. 27:5–6].
  - D For iron invalidates [stone] by touching it.
  - E And a blemish invalidates it in every regard.
  - F [If] one of them is blemished, it is invalid, but all the rest of them are valid.
  - G And they clean them twice a year, once at Passover, and once at the Festival.
  - H And as to the sanctuary, once a year, at Passover.
  - I Rabbi says, "Every Friday do they clean it with a cloth, because of the blood."
  - J They did not plaster them with an iron trowel, lest it touch and invalidate [them].
  - K For iron is created to shorten man's days, and the altar is created to lengthen man's days.
  - L It is not fitting that that which shortens man's days should be waved over that which lengthens man's days.
- **3:5** A Rings were on the north side of the altar, six rows of four [rings]
  - B and some say, "Four rows of six each"—
  - C at which they slaughter the Holy Things.
  - D The shambles [M. Tam. 3:5] was north of the altar.
  - E And on it were eight short pillars, and square blocks of cedarwood were on top of them, and iron hooks were set into them.
  - F And three rows were on each one,
  - G on which they would suspend [the slaughtered beasts].
  - H They flay them on marble tables between the pillars.
- **3:6** A The laver was between the porch and the altar, towards the south.
  - B Between the porch and the altar [was a space of] twenty-two cubits.
  - C There were twelve steps there.
  - D The height of a step was a half-cubit, and its tread a cubit, [then another of] a cubit, [and another of] a cubit, [then] a terrace of three cubits, then two steps of one cubit's tread each, then a terrace of three cubits. At the two top were two steps, each of one cubit's tread, and a terrace of four cubits.
  - E R. Judah says, "At the top were two steps, each of one cubit's tread, and a terrace of five cubits."

- **3:7** A The entrance to the porch was forty cubits high and its breadth was twenty cubits.
  - B And five carved oak beams were on top of it.
  - C The lowest one overhangs the entrance by a cubit on either side twenty-two wide]. The one above it overhangs it by a cubit on either side twenty-four]. The one on top [the fifth] turns out to be thirty cubits long.
  - D And a course of stones was between every two beams.
- **3:8** A Crossbars of cedar were set between the wall of the sanctuary and the wall of the porch,
  - B so that it not budge.
    - C And golden chains were fixed to the roof beam of the porch,
    - D on which novice-priests climb up and see the crowns,
    - E since it is written, And the crowns shall be to Helem and to Tobijah and to Jedaiah and to Hen the son of Zephaniah for a memorial in the Temple of the Lord (Zech. 6:14).
    - F A golden vine was standing at the entrance of the sanctuary, trained over the posts.
    - G Whoever gave a leaf or a berry or a cluster brings it and hangs it on it.
    - H Said R. Eleazar bar Sadoq, "There was an incident, and three hundred priests were appointed [to clear it since it was too heavy]."
- **4:1** A The entrance of the sanctuary is twenty cubits in height and ten cubits in breadth.
  - B It had four doors, two inside, and two outside,
  - C since it is said, *The Temple and the sanctuary had two doors* (Ezek. 41:23).
  - D The outside ones open into the inside of the entrance to cover the thickness of the wall, and the inside ones open into the house, to cover the space behind the doors.
  - E For the entire house is overlaid with gold [I Kings 6:20–22, 32, 35], except for the backside of the doors.
  - F R. Judah says, "Inside the entrance did they stand.
  - G "And they were in the form of folding doors, which doubled back upon themselves."
  - H These were two cubits and a half, and those, two cubits and a half.
  - I And the doorpost was a half-cubit thick on one side, and the doorpost was a half-cubit thick on the other,
  - J since it is said, And the doors had two leaves apiece, two turning leaves, two leaves for the one door, and two leaves for the other (Ezek. 41:24).
- **4:2** A Two little doors did the great gate have, one at the north, and one at the south.
  - B Through that at the south no man ever entered.
  - C And it is expressly stated by Ezekiel,
  - D as it is said, And the Lord said unto me, "This gate shall be shut, it shall not be opened, neither shall any man enter in by it, for the Lord, the God of Israel, has entered in by it, therefore it shall be shut" (Ezek. 44:2).
  - E He took the key and opened the gate and went into the cell, and from the cell to the sanctuary [M. Tam. 3:7].
  - F R. Judah says, "He went along the thickness of the wall until he found himself standing between the two gates.
  - G "And he opened the outer ones from the inside and the inner ones from the outside."
- **4:3** A And thirty-eight cells were there, fifteen at the north, fifteen at the south, and eight at the west.

- B Those at the north and at the south were five on top of five, with five on top of them. And those at the west were three on top of three, with two more on top of them.
- C And each one had three entrances, one to the cell on the right, one to the cell on the left, and one to the cell on top.
- D And at the northeastern corner were five entrances, one into the cell at the right, one into the cell on top of it, one into the passageway, one into the little door, and one into the sanctuary.
- **4:4** A The lower [story of cells] was five [cubits wide], and the floor above it was six, and the one in the middle, six, and the floor above it, seven.
  - B The one on top was seven,
  - C as it is said, *The nethermost story was five cubits broad, and the middle was six cubits broad, and the third was seven cubits broad* (I Kings 6:6).
- **4:5** A And a passage went up from the northeastern corner to the northwestern corner,
  - B through which they would go up to the roofs of the cells.
  - C One would go up the passageway facing westward, and walked across the entire northern side until he reached the west.
  - D [When] he reached the west, he turned southward and walked across the entire western side until he reached the south.
  - E [When] he reached the south, he turned eastward and walked across the southern side until he reached the entrance to the upper chamber.
  - F For the entrance to the upper chamber was open toward the south.
  - G And in the entrance to the upper chamber were two cedar posts,
  - H by which they went up to the roof of the upper room.
  - I And in the upper chamber the tops of flagstones mark the division between the sanctuary and the Holy of Holies.
  - J And in the upper room were openings into the house of the holy of holies, through which they would lower down craftsmen in boxes [closed on three sides].
  - K so that they should not feast their eyes on the house of the Holy of Holies.
- **4:6** A And the sanctuary [including the porch and the holy of holies] was a hundred cubits by a hundred cubits, with a height of a hundred cubits.
  - B The substructure [solid basement] was six cubits, and the height [of the wall built on it] was forty cubits, the wall frieze, a cubit, the place of drippings, two cubits, the roof beams, one cubit, the plaster, one cubit [= 51].
  - C And the height of the upper room was forty cubits, the wall frieze, one cubit, the place of drippings, two cubits, the roof beams, one cubit, and the plaster, one cubit.
  - D And the parapet was three cubits.
  - E And the scarecrow was one cubit [= 49].
  - F R. Judah says, "The scarecrow was not included in the measure; rather: the parapet was four cubits."
- **4:7** A From east to west was one hundred cubits:
  - B The wall of the porch was five [cubits thick], and the porch, eleven; the wall of the sanctuary, six, and its inside, forty cubits. The dividing space was one cubit, and the Holy of Holies, twenty; the wall of the sanctuary, six; the cell, six; and the wall of the cell, five.
  - C From north to south was [an area of] seventy cubits:

- D the wall of the passageway was five, the passageway, three, the wall of the cell, five, and the cell, six, the wall of the sanctuary, six, and its inner area, twenty cubits, the wall of the sanctuary, six, and the cell, six, the wall of the cell, five, and the space for draining off water, three cubits, and the wall, five cubits.
- E The porch projected fifteen cubits at the north, and fifteen cubits at the south.
- F It was called the place of the room of the slaughter-knives, for there did they put away the knives.
- G The sanctuary was narrow behind and wide in front, *and like a lion*—
- H since it is said, Ho, Ariel, Ariel, the city where David encamped (Is. 29:1)—
- I just as the lion is narrow behind and broad in front, so the sanctuary is narrow behind and broad in front.
- **5:1** A The courtyard [of the Temple, from the Israelite courtyard onward] in all was one hundred eighty-seven cubits in length by one hundred thirty-five in breadth.
  - B From east to west [the length] was one hundred eighty-seven:
  - C the area trodden by Israelites, eleven cubits, the area trodden by priests, eleven cubits, the altar, thirty-two, the area between the porch and the altar, twenty two cubits, the sanctuary, a hundred cubits, and eleven cubits behind the place of the Mercy Seat.
- **5:2** A From north to south was one hundred thirty-five:
  - B the ramp and the altar, sixty-two, from the altar to the rings, eight cubits, the area of the rings, twenty-four, from the rings to the tables, four, from the tables to the small pillars, four, from the small pillars to the wall of the courtyard, eight cubits, and the remainder [twenty-five cubits] was between the ramp and the wall and [in] the place of the pillars.
- **5:3** A Six offices were in the courtyard, three in the north and three in the south.
  - B Those in the north: the office in charge of salt, the *Parwah* office, the office for rinsing.
  - C The office in charge of salt:
    - there did they put salt on the offering.
  - D The Parwah office:
    - there did they salt the hides of Holy Things,
  - E and on its roof was the room for immersion for the high priest on the Day of Atonement.
  - F The office for rinsing:
  - G for there did they rinse the innards of the Holy Things, and from there did a passageway go up to the roof of the *Parwah office*.
- **5:4** A Those in the south: the office made of wood, the office for the Exile, the office made of hewn stone.
  - B The office made of wood—
  - C said R. Eliezer b. Jacob, "I forgot what purpose it served"—
  - D Abba Saul says, "It is the office of the high priest, and it was behind the other two [A], and the roof of all three of them was on the same level."
  - E The office for the exile: there was a permanent cistern, and a wheel was placed on it, and from there did they draw water for the whole courtyard.
  - F The office made of hewn stone: there the great Sanhedrin of Israel was in session,

- G And it judged the priesthood. And a priest in whom was found a cause of invalidation dresses himself in black clothing and cloaks himself in a black cloak and departs and goes his way.
- H And he in whom no cause of invalidation was found dresses himself in white clothing and cloaks himself in a white cloak and goes in and serves with his brethren, the priests.
- I And a festival day did they declare, for a cause of invalidation had not been found in the seed of Aaron the priest.
- J And thus did they say, "Blessed is the Omnipresent, blessed be he, that a cause of invalidation has not been found in the seed of Aaron.
- K "Blessed is he who chose Aaron and his sons to stand to serve before the Lord in the house of the Holy of Holies."

## QINNIM

- **1:1** A [The blood of] a sin offering of fowl is sprinkled below, and [the blood] of a sin offering of a beast, above [the red line around the altar].
  - B [The blood of] a burnt offering of fowl is sprinkled above, and [the blood of] a burnt offering of a beast, below.
  - C If one did otherwise in this or in that case, it is invalid.
  - D The proper rite for [offering] a pair of birds is as follows:
  - E [as to a pair of birds brought in fulfillment of] an obligation, one [bird] is deemed a sin offering and one a burnt offering.
  - F In the case of [birds brought in fulfillment of] vows and as freewill offerings, all are deemed to be burnt offerings.
  - G What is deemed [to be a pair of birds brought in fulfillment of] a vow?
  - H He who says, "Lo, I pledge myself to bring a burnt offering."
  - I And what is deemed [to be a pair of birds brought] as a freewill offering?
  - J He who says, "Lo, this is a burnt offering."
  - K What is the difference between vows and freewill offerings?
  - L In the case of vows, [if] they [the birds] died or were stolen, he is answerable for them [and must replace them (as he said at H)].
  - M In the case of freewill offerings, [if] they died or were stolen, they are not answerable for them [and need not replace them (J)].
- **1:2** A A sin offering which was confused with a burnt offering,
  - B or a burnt offering with a sin offering—
  - C even one in ten thousand [of the other]—
  - D all of them are left to die.
  - E [A bird which was designated as] a sin offering which was confused with [birds which were not designated at all but brought in fulfillment of] an obligation—
  - F valid is only the number corresponding to the sin offerings among [the offerings brought in fulfillment of] an obligation.
  - G And so a burnt offering which was confused with [unassigned birds which were brought in fulfillment of] an obligation,
  - H valid is only the number corresponding to the burnt offerings among [the offerings brought in fulfillment of] an obligation—

- I whether the birds designated in fulfillment of an obligation are many, and those as freewill offerings are few,
- J whether the freewill offerings are many, and those brought in fulfillment of an obligation are few,
- K whether both are of equal number.
- **1:3** A Under what circumstances?
  - B In the case of [confusion of] an offering brought in fulfillment of an obligation [confused] with one designated as a freewill offering.
  - C But in the case of bird offerings brought in fulfillment of an obligation which were confused with one another—
  - D one pair belonging to this one and one to that, or two to this woman and two to that, or three to this woman and three to that—
  - E half are valid, and half are invalid.
  - F [If] one belongs to this one, two to that, three to this woman, ten to that, and a hundred to that—
  - G the smallest number is valid—
  - H whether they are of a single class or two classes,
  - I whether they belong to one woman or to two women.
- **1:4** A How [is a case involving] a single class [M. 1:3H]?
  - B [If one pair of birds was brought by a woman on account of] having given birth, and [the other pair brought by the same woman was because of another] birth,
  - C [or one pair of birds brought by a woman was on account of having been unclean by reason of] *zibah*, and [another pair of birds was brought by the same woman because of another] *zibah*—
  - D [this is deemed a case involving birds of] a single class.
  - E [What is a case involving] two classes?
  - F [Birds brought by one woman because of] having given birth and [birds brought by the same woman] because of having been unclean by reason of *zibah*.
  - G How [is a case involving] two women [M. 1:3I]?
  - H [If the two pairs were brought by] this woman on account of having given birth, and by that for having given birth—

by this one on account of having been unclean by reason of *zibah* and by that one for having been unclean by reason of *zibah*—

- I this is a case involving birds of a single class [of two different women].
- J Two classes?
- K [If the two pairs of birds were brought] by one woman because of birth; and by the other because of having been unclean by reason of *zibah*.
- L R. Yose says, "Two women who purchased their pairs of birds in partnership,
- M "or who paid over the money for their pairs of birds to a priest—
- N "for whichever one the priest wants should he offer one as a sin offering, and for whichever one he wants he offers one as a burnt offering—
- O "whether [the birds had to be brought because of] one class or two classes."
- 2:1 A An unassigned pair of birds from which one pigeon flew off into the air
  - B or one of which flew among birds which had been left to die—
    - C or one of which died—
    - D let [the owner] purchase a mate for the second.

- E [If] it flew among those which are to be offered, it is invalid and invalidates the one which is its match [in the pair].
- F For: The pigeon which flies away is invalid and invalidates the one which is its match [in the pair].
- **2:2** A How so?
  - B Two women—
  - C this one has two pairs of [unassigned] birds, and that one has two pairs of [unassigned] birds—
  - D it [a bird] flew from this one to that one—
  - E it invalidates by its flying away one [of the birds from which it flew off].
  - F [If] one [of the second woman's birds] returned, it invalidates by its flying back one [from the group to which it flew and from which it now flies away].
  - G [If] it flew away and flew back, flew away and flew back,
  - H it [nonetheless] has caused no [further] loss at all,
  - I for even if they are confused, there are no less than two [pairs which may be offered].
- **2:3** A This one has one [pair of birds], this one two [pairs], this one three, this one four, this one five, this one six, this one seven—
  - B one [bird] flew from the first to the second, then one [flew from the second] to the third, [then one flew from the third] to the fourth, [then one flew from the fourth] to the fifth, [then one flew from the fifth] to the sixth, [then one flew from the sixth] to the seventh—
  - C [and] it returned [one from each returned, in the same order]—
  - D it invalidates one by flying away and one by flying back.
  - E The first and second [women] have none [which may be offered], the third has one [pair], the fourth has two, the fifth has three, the sixth has four, the seventh has six.
  - F [Again] one flew away and flew back [in the same order as above]—
  - G it invalidates one by flying away and one by flying back.
  - H The third and the fourth have none, the fifth has one [pair], the sixth has two, the seventh has five.
  - I [Again] one flew away and flew back [in the same order]—
  - J it invalidates one by flying away and one by flying back.
  - K The fifth and the sixth have none, the seventh has four.
  - L And some say, "The seventh has lost nothing."
  - M And if one from among the birds which had been left to die flew among any of them, lo, all of them are left to die.
- **2:4** A pair of birds which had not been designated and a pair of birds which had been designated—
  - B [one bird] flew from the birds which had not been designated to the birds which had been designated —
  - C let him purchase a mate for the second.
  - D [if] it flew back,
  - E or [if] at first one which had been designated flew [to the undesignated pair],
  - F lo, all of them are left to die.
- **2:5** A [A pair of birds for] a sin offering at this side, and [a pair of birds for] a burnt offering at this side, and an unassigned pair in the middle—

- B [if] one [of the unassigned birds] flew from the middle to the sides, one in this direction, one in that,
- C it has caused no loss at all.
- D But let him [now designate the birds and] say, "This one which has gone to the sin offerings is a sin offering, and this which has gone to the burnt offerings is a burnt offering."
- E [If] one went back to the middle [from each side], the ones in the middle [then] are to be left to die.
- F These [to one side] are offered as sin offerings, and these [to the other side] are offered as burnt offerings.
- G [If] it [again] went
- H and [alt: or if] flew from the middle to the sides,
- I lo, all of them are left to die.
- J They do not bring turtle doves to make up pairs for young pigeons, or young pigeons to make up pairs for turtledoves.
- K How so?
- L The woman who brought her sin offering as a turtledove and her burnt offering as a young pigeon should double up and bring a turtledove as her burnt offering.
- M [If she brought] a turtledove for her burnt offering and a young pigeon for her sin offering, let her double up and bring a young pigeon as her burnt offering.
- N Ben Azzai says, "They follow the status of the first [to be offered]."
- O The woman who brought her sin offering, and died—
- P let the heirs bring her burnt offering.
- Q [If she brought] her burnt offering and died, the heirs do not bring her sin offering.
- **3:1** A Under what circumstances [do the rules of M. 1:2–3 apply]?
  - B In the case of a priest who makes inquiry.
  - C But in the case of a priest who does not make inquiry—
  - D one belongs to this and one to that woman, two to this and two to that woman, three to this and three to that woman [M. 1:3D]—
  - E [if] he prepared all of them above [the red line],
  - F half is valid, and half is invalid [= M. 1:3E].
  - G [If he prepared] all of them below [the red line], half is valid, and half is invalid.
  - H [If he prepared] half of them above and half of them below,
  - I of that prepared above,
  - J half is valid, and half is invalid,
  - K and of that prepared below, half is valid and half is invalid.
- **3:2** A [If] one belongs to this woman, and two to that, and three to that, and ten to that, and a hundred to that [M. 1:3F]—
  - B [If] he prepared all of them above [the red line], half is valid, and half is invalid.
  - C [If he prepared] all of them below [the red line], half is valid, and half invalid.
  - D [If he prepared] half of them above and half of them below,
  - E the majority is valid. [The number of pairs deemed valid is equivalent to the largest number brought by a single woman.]
  - F This is the general principle:
  - G In any situation in which you can divide the pairs of bird offerings [into two equal groups] so that those belonging to one woman do not [have their blood sprinkled] both above and below the line,

half is valid and half invalid.

- H In any situation in which you cannot divide the pairs of bird offerings [into two equal groups] so that those belonging to one woman do not [have their blood] sprinkled both above and below the line, the majority is valid.
- **3:3** A Sin offerings belonging to this woman, and burnt offerings to that one
  - B [if] he prepared all of them above [the red line],
  - C half is valid, and half invalid.
  - D [If he prepared] all of them below the red line, half of them is valid, and half invalid.
  - E [If he prepared] half of them above, and half of them below, both of them are invalid.
  - F For I maintain, "The sin offering was offered above, and the burnt offering below [the red line]."
- **3:4** A Sin offerings and burnt offerings, and one pair of birds which were not designated, and one which were designated [for their particular purposes]—
  - B [if] he prepared all of them above the red line, half is valid, and half is invalid.
  - C [If he prepared] all of them below the red line, half of them is valid and half invalid.
  - D [If he prepared] half of them above and half below,
  - E valid is only the undesignated pair.
  - F And it is divided between them.
- **3:5** A [A pair of birds designated as] a sin offering which was confused with [a pair designated] in fulfillment of an obligation—
  - B valid is only the number corresponding to the sin offerings among the birds designated in fulfillment of an obligation [= M. 1:2E-F].
  - C [If] the number of birds brought in fulfillment of an obligation is twice as many as the number of birds brought as sin offerings,
  - D half is valid and half is invalid.
  - E And [If] the number of birds brought as a sin offering is twice the number of birds brought in fulfillment of an obligation, only the number of birds brought in fulfillment of an obligation is valid.
  - F And so birds brought as a burnt offering which were confused with birds brought in fulfillment of an obligation—
  - G valid is only the number corresponding to the birds brought as burnt offerings among the birds brought in fulfillment of an obligation [M. 1:2G-H].
  - H [If] the number of birds brought in fulfillment of an obligation is twice that of the number of birds brought as a burnt offering, half is valid, and half invalid.
  - I [If] the number of birds brought as a burnt offering is twice the number of birds brought in fulfillment of an obligation,
  - J the number of birds brought in fulfillment of an obligation is valid.
- **3:6** A The woman who said, "Lo, I pledge myself to bring a pair of birds if I bear a male child"—
  - B [if] she bore a male child,
  - C she brings two pairs of birds, one for her vow and one in fulfillment of her obligation.

- D [If before she had assigned them, designating two as burnt offerings in fulfillment of her vow, and one as a sin offering and one as a burnt offering in fulfillment of her obligation], she gave them to the priest,
- E so that the priest has to prepare three birds above [the red line] and one below,
- F [but] he did not do so,
- G [and], rather, he prepared two above and two below—
- H and he did not first make inquiry M. 3:1A]—
- I she has to bring another bird.
- J And he then offers it above the red line.
- I K [The foregoing rule applies if she had originally brought birds of] the same kind.
  - L [If] however, she had brought] two kinds, then she must bring two birds of each kind.
- II M [If] she had expressly vowed [which kind she would bring], then she must bring three birds.
  - N [This rule applies if she had originally brought birds] of the same kind.
  - O [If she had brought them] of two different kinds, she must bring four more.
- III P [If] she had determined in her vow [to bring her offering of obligation and her offering as a vow of the same kind and at the same time], she must bring five more birds.
  - Q [This rule applies if she had originally brought birds] of a single kind ,
  - R If she had brought them of two different kinds, she must bring six ,
  - S [If] she gave them to the priest, and it is not known what [in fact] she gave,
  - T [if] the priest went and prepared them, and it is not known what he has done by way of preparation—
  - U she must bring another four birds in fulfillment of her vow, and two in fulfillment of her obligation, and one sin offering ,
  - V Ben Azzai says, "Two sin offerings,"
  - W Said R, Joshua, "This illustrates that which they have said, 'When it [the animal] is alive, its voice is one, When it is dead, its voice is seven, "
  - X How is its voice seven?
  - Y Its two horns become two trumpets, its two leg bones, two flutes, its hide is made into a drum, its innards are used for lyres, and its intestines, for harps,
  - Z Some say, Also its wool is made into blue [for the high priest's blue pomegranates] [Ex, 28:33],
  - AA *R*, Simeon b, Aqashya says, "As the elders of the *Am haares*, grow old, their understanding is loosened from them, as it is said, *He removes the speech of the trusty and takes away the understanding of the elders* (Job 12:20),
  - BB "But sages of Torah are not that way, But while they are growing old, their understanding is strengthened for them, as it is said, *With aged men is wisdom and in length of days understanding* (Job 12:12), "

## The Sixth Division Purities

## KELIM

- **1:1** A The Fathers of Uncleannesses [are] (1) the creeping thing, and (2) semen [of an adult Israelite], and (3) one who has contracted corpse uncleanness, and (4) the leper in the days of his counting, and (5) sin offering water of insufficient quantity to be sprinkled.
  - B Lo, these render man and vessels unclean by contact, and earthenware vessels by [presence within the vessels' contained] airspace.
  - C But they do not render unclean by carrying.
- **1:2** A Above them: (6) carrion, and (7) sin offering water of sufficient quantity to be sprinkled.
  - B For they render man unclean through carrying, to make [his] clothing unclean.
  - C But clothing is not made unclean through contact.
- **1:3** A Above them: (8) he who has intercourse with a menstruating woman,
  - B for he conveys uncleanness to what lies [far] beneath him [in like degree as he conveys uncleanness to what lies] above.
    - C Above them: (9) the flux of the *Zab*, and (10) his spittle and (11) his semen and (12) his urine, and (13) the blood of the menstruating woman,
    - D for they render unclean through contact and carrying.
    - E Above them: (14) the saddle,
    - F for it [the saddle] is unclean under a heavy stone.
    - G Above the saddle: (15) the couch,
    - H for touching it is equivalent to carrying it.
    - I Above the couch: (16) the Zab,
    - J for the Zab conveys uncleanness to the couch, but the couch does not [convey equivalent uncleanness to] the couch.
- **1:4** A Above the *Zab*: (17) the *Zabah*,
  - B for she renders him that has intercourse with her unclean [for seven days].
  - C Above the *Zabah*: (18) the leper,
  - D for he renders unclean by his coming [into a house].
  - E Above the leper: (19) a bone about the size of a barley corn,
  - F for it renders unclean for a seven [days'] uncleanness.
  - G Weightiest of them all: (20) the corpse,
  - H for it renders unclean by overshadowing [a mode of rendering uncleanness by] which none of the rest conveys uncleanness.
- **1:5** A Ten levels of uncleanness pertain to man:
  - B (1) He whose atonement [sacrifice] is incomplete [solely in respect to the purificatory sacrifice] is prohibited in regard to Holy Thing(s) but permitted in regard to heave offering and in regard to tithe.
  - C (2) He [who] [became unclean so as] to be a *tebul-yom* [who awaits sunset to complete his purification] is prohibited in regard to Holy Thing(s) and in regard to heave offering but permitted in regard to tithe.
  - D (3) He [who] [became unclean so as] to be one who had suffered a pollution is prohibited in regard to all three.

- E (4) He [who] [became unclean so as] to be one who has intercourse with a menstruating woman conveys uncleanness to what lies [far] beneath him [in like degree as he conveys uncleanness to a spread that lies] above [it and directly underneath him].
- F (5) [If] he [became unclean so as] to be a *Zab* who has suffered two appearances [of flux], he renders the couch and the chair [on which he sits or lies] unclean and needs bathing in running water but is free of the offering.
- G (6) He [who] saw three [appearances of flux] is liable for the offering.
- H (7) He [who] [became unclean so as] to be a leper that is shut up [for examination to see whether signs of uncleanness will appear] conveys uncleanness through coming [into a house] but is exempt from loosening [the hair], and tearing [the clothes], and from shaving, and from the bird [offering].
- I (8) And if he was certified [as a leper], he is liable for all of them.
- J (9) [If] a limb on which there is not an appropriate amount of flesh separated from him, it renders unclean through contact and through carrying but does not render unclean in the tent.
- K (10) And if there is on it [the limb] an appropriate amount of flesh, it renders unclean through contact and through carrying and through the tent.
- L The measure of flesh that is appropriate is sufficient to bring about healing.
- M R. Judah says, "If there is in one place enough [flesh] to surround the member with [the thickness of] the thread of the woof, there is sufficient to bring about healing."
- **1:6** A There are ten [degrees of] holiness(es):
  - B (1) The land of Israel is holier than all lands.
  - C And what is its holiness? For they bring from it the *omer*, and the firstfruits, and the Two Loaves, which they do not bring (thus) from all lands.
- **1:7** A (2) The cities surrounded by a wall are more holy than it [the land].
  - B For they send from them the lepers, and they carry around in their midst a corpse so long as they like. [But once] it has gone forth, they do not bring it back.
- **1:8** A (3) Within the wall [of Jerusalem] is more holy than they.
  - B For they eat there lesser sanctities and second tithe.
  - C (4) The Temple mount is more holy than it.
  - D For *Zabim*, and *Zabot*, menstruating women, and those that have given birth do not enter there.
  - E (5) The rampart is more holy than it.
  - F For gentiles and he who is made unclean by a corpse do not enter there.
  - G (6) The court of women is more holy than it.
  - H For a *tebul-yom* does not enter there, but they are not liable on its account for a sin offering.
  - I (7) The court of Israel is more holy than it.
  - J For one who [yet] lacks atonement [offerings made in the completion of his purification rite] does not enter there, and they are liable on its account for a sin offering.
  - K (8) The court of the priests is more holy than it.
  - L For Israelite(s) do not enter there except in the time of their [cultic] requirements: for laying on of hands, for slaughtering, and for waving.
- **1:9** A (9) [The area] between the porch and the altar is more holy than it.

- B For those [priests] who are blemished or whose hair is unloosed do not enter there.
- C (10) The sanctuary is more holy than it.
- D For [a priest] whose hands and feet are not washed does not enter there.
- E (11) The Holy of Holies is more holy than they.
- F For only the high priest on the Day of Atonement at the time of the service enters there.
- G Said R. Yose, "In five respects the [area] between the porch and the altar is equivalent to the sanctuary, for:
  - 1. "Those who are blemished,
  - 2. "And whose hair is unloosed,

3. "And who are drunk,

4. "And whose hands and feet are not washed do not enter there.

5. "And they keep distant from [the area] between the porch and the altar at the time of [offering the] incense."

- **2:1** A Vessels of wood, and vessels of leather, and vessels of bone, and vessels of glass:
  - B when they are flat, they are clean, and when they form receptacles, they are [susceptible of becoming] unclean.
    - C [If] they are broken, they are clean.
    - D [If] one went and made [new] vessels, they receive uncleanness from now and henceforth.
    - E [As to] vessels of clay and vessels of alum crystal, their [capacity to receive] uncleanness is alike.
    - F (1) They [both] become unclean and convey uncleanness by [their] contained airspace, and they impart uncleanness from their outer sides.
      - (2) But they do not contract uncleanness from their outer parts.
    - G And breaking them is purifying them.
- **2:2** A [As to] the smallest [size] of earthenware vessels:
  - (1) their [rimmed] bottoms or their sides [which can] set without supports [are unclean if] their measure is as much [oil as needed for] anointing a small [finger of a child].
  - (2) [And this measurement applies to vessels which, when whole, hold] up to a *log*.
  - B [If, when whole, such vessels held] from a *log* to a *seah*, [the uncleanness will persist if the remnant may hold] a quarter-*log*.
  - C "From a *seah* to two *seahs*, a half-*log*. "[And if when whole such vessels held] from two *seahs* to three and up to five *seahs*, [the susceptibility to uncleanness will persist if the remnant can hold] a *log*, " the words of R. Ishmael.
  - D R. Aqiba says, "I for my part do not set a measure for them.
  - E "But [as to] the smallest size of clay vessels,
  - F "their bottoms and their sides [which can] set without supports—their measure is as much [oil as needed for] anointing a small [finger of a child].
  - G "[And this measure applies to all vessels up] to small cooking pots.
  - H "From small cooking pots to Lyddian jars [the uncleanness will persist if the remnant may hold] a quarter-*log*.
  - I "From Lyddian [jars] to [Beth]lehem [jars], [the measure to be held for uncleanness to persist is] a half-*log*.
  - J "From [Beth]lehem [jars] to large store jars, [the measure to be held for uncleanness to persist is] a *log*."
  - K Rabban Yohanan ben Zakkai says, "[As to] large store jars, the[ir] measure is two *logs*."

- L [As to] Galilean cruses and little jars, the measure [of liquid to be held for uncleanness to persist is], for their bottoms, any quantity whatsoever.
- M And they do not have sides [to be susceptible to uncleanness when broken].
- **2:3** A [These are objects which are] the clean [ones] among clay vessels:
  - B A tray without a rim,
  - C And a broken firepan.
  - D And a tube for roasting corn,
  - E And gutter spouts,
    - even though bent,
    - even though they [are hollowed out to] receive [objects or liquid],
  - F And a basket top which one made into (the) breadbasket,
  - G And a ewer that one prepared [as a cover] for grapes,
  - H And a jar for swimmers,
  - I And a jar let into the sides of a lading jar.
  - J And the [clay] bed,
  - K And the chair,
  - L And the table,
  - M And the boat,
  - N And the candelabrum of clay.
  - O Lo, these are clean.
  - P This is the general rule: Whatever among vessels of clay has no inside has no outside.
- **2:4** A A lantern which has a receptacle for oil is unclean, and which does not have one is clean.
  - B A potter's mould with which one begins [to shape the clay] is clean, and with which he completes [it] is unclean.
  - C A funnel of householders is clean, and of peddlers is unclean,
  - D "because [it serves] as a measure, " the words of R. Judah b. Beterah.
  - E R. Aqiba says, "Because he turns it on its side, and the buyer smells from it."
- 2:5 A (1) The cover of bottles of wine and bottles of oil, and the cover of papyrus jars are clean.(2) And if one adapted them for use, they are unclean.
  - B The cover of the stewpan, when it is perforated and has a pointed top, is clean. If it is not perforated and has no pointed top, it is unclean,
  - C because she [the housewife] drains the vegetables into it.
  - D R. Eleazar b. R. Sadoq says, "Because she turns the stewpot on it."
- **2:6** A A spoiled jar which is found in the furnace,
  - B [if found] before its manufacture is completed, is clean;
  - C [if found] after its manufacture is completed, is unclean.
  - D A sprinkler—
  - E R. Eleazar b. R. Sadoq declares clean.
  - F R. Yose declares unclean.
  - G Because it lets out small coins.
- **2:7** A The unclean [ones] among clay vessels:
  - B A tray with a rim,
  - C And a complete firepan.

- D And [as to a] tray which is full of dishes—
- E [if] one of them is made unclean by means of a creeping thing, all of them are not made unclean.
- F If it has an overhanging rim [and if] one of them was made unclean, all of them are unclean [through the airspace].
- G So too an earthenware spice pot and a double inkstand.
- H And [as to] a wooden spice pot, one [part of which] was made unclean by liquid, its adjoined part is not made unclean.
- I R. Yohanan b. Nuri says, "They divide its thickness. The [half that] serves the unclean [portion] is unclean; the [half that] serves the clean [part] is clean."
- J If it has an overhanging rim [and if] one of them is made unclean, its adjoined part is unclean.
- **2:8** A A torch is unclean.
  - B And the reservoir of a lamp is made unclean by means of its contained airspace.
  - C The comb of the water cooler—
  - D R. Eliezer declares clean.
  - E And sages declare unclean.
- **3:1** A The measure [of the perforation or hole] in a clay utensil to render it clean:
  - B That which is used for foods
    - its measure is with olives.
  - C That which is used for liquids—
  - its measure is with liquids.
  - D That which is used for this and for that they subject it to its more stringent [rule]:
  - E with olives.
- **3:2** A (1) [As to] a jar, its measure [is]—
  - (2) "with dried figs," the words of R. Simeon.
  - B R. Judah says, "With nuts."
  - C R. Meir says, "With olives."
  - D [As to] a stewpan, and the cooking pot-
  - E their measure is with olives.
  - F [As to] the oil cruse and the ewer its measure is with water.
  - G The comb—its measure is with water.
  - H R. Simeon says, "[As to] the three of them, [the measure is] with seeds."
  - I [As to] a lamp-
  - J its measure is with oil.
  - K R. Eliezer says, "With a small *perutah*.
  - L A lamp whose nozzle is taken away is clean, and [one] which is made of unbaked clay whose nozzle is burned by the wick is clean.
- **3:3** A [As to] a jar which was perforated and which one repaired with pitch, and which broke [again]—
  - B if in the place of the pitch there is [a sufficient receptacle to] hold a quarter-[log], it is unclean, because the name of the vessel has not ceased [to apply to] it.

- C A potsherd which was perforated and which one repaired with pitch and which was broken [again], even though it holds a quarter-[*log*], is clean, because the name of 'vessel' has ceased [to apply to] it.
- **3:4** A A jar which cracked and which [one] plastered over with dung, even though one might remove the dung and the sherds fall apart, is unclean, because the name of 'vessel' has not ceased [to apply to] it.
  - B If it was broken and one stuck sherds from it together, or if one brought sherds from somewhere else and plastered them over together with dung, even though, if one took away the dung, the sherds [might continue to] stand, it [the new construction] is clean, because the name of 'vessel' has ceased [to apply to] it.
  - C If there was in it a sherd which holds a quarter-[log], the entire [vessel] receives uncleanness by contact, and [the part] opposite it receives uncleanness within its airspace.
- **3:5** A One who plasters [lines] a clay utensil which is whole—
  - B R. Meir and R. Simeon declare [the lining of the vessel] unclean.
  - C And sages say, "He who plasters the whole [vessel]—[the layer of cattle dung] is clean, and [the layer of cattle dung applied to] the cracked [vessel] is unclean."
  - D And so a hoop around a gourd.
- **3:6** A The scutchgrass with which they [line] the largest jars-that which touches it [the grass] is unclean.
  - B The clay plug of a jar is not a connector [to the pot].
  - C That which touches the plastering of an oven is unclean.
- **3:7** A [As to] a kettle which one plastered [lined] with mortar and potter's clay—
  - B that which touches the mortar is unclean, and that which touches the potter's clay is clean.
    - C A pot which was perforated and which was repaired with pitch—
    - D R. Yose declares clean, for it cannot hold hot water as [it can hold] cold.
    - E And so he used to say in regard to a vessel made of pitch.
    - F Copper vessels which were [lined or mended with] pitch are clean, but if [they are used] for wine, they are unclean.
- **3:8** A A jar which was perforated and repaired with pitch [in greater quantity] than needed [for the repair of the perforation itself]—
  - B that which touches the necessary [part of the pitch] is unclean. [That which touches] the excess [pitch] is clean.
  - C [As to] pitch which dripped on the jar—
  - D that which touches it is clean.
  - E A funnel of wood or of clay which one stopped up with pitch—
  - F R. Eleazar b. Azariah declares unclean.
  - G R. Aqiba declares unclean in the case of the wooden [one] and declares clean in the case of the clay [one].
  - H R. Yose declares clean in the case of both of them.
- **4:1** A A sherd which cannot stand [unsupported] because of its ear, or on which there was a point and the point overbalances it, is clean.
  - B [If] the handle piece was removed, [or] the point was broken, it is [still] clean.

- C R. Judah declares [it] unclean.
- D [As to] a jar [the bottom of] which was diminished, but which [still] holds [something] on its sides, or which was split as two troughs-
- E R. Judah declares clean.
- F And sages declare unclean.
- **4:2** A A jar which was cracked and cannot be carried with a half-*qab* of figs [in it] is clean.
  - B A spoiled jar which was cracked and cannot contain liquids, even though it [can] contain(s) foodstuffs, is clean,
  - C for there are no remnants to remnants.
- **4:3** A What is a spoiled jar?
  - B Any whose handle pieces have been removed.
  - C [As to a spoiled jar—or, any jar] in which were extruding points [teeth]—
  - D (1) any part with which one may hold olives receives uncleanness by contact, and [the space opposite it] by contamination of airspace.
    (2) Any part with which one may not hold olives [still is connected, so it] may be rendered unclean by contact but does not receive uncleanness by airspace.
  - E [If] it was leaning on its side like a kind of throne, any part with which one may hold olives is made unclean by contact, and [the space opposite] by con tamination of airspace.
  - F And any part with which one may not hold olives is made unclean by contact, but does not receive uncleanness by airspace.
  - G The bottoms of *Qurfayot* and the bottoms of Sidonian bowls, even though they cannot set without supports, are unclean, for in the first place that is how they were made.
- **4:4** A [As to a] clay vessel which has three rims—
  - 1. [if] the innermost exceeds [the others in height], all are clean.
  - 2. [If] the outermost exceeds [the others in height], all are unclean.
  - 3. [If] the middle one exceeds [the others in height], from it [the middle rim] and inward is unclean, from it and outward is clean.
  - B [If] they were [all] equal—
  - C R. Judah says, "They divide the middle one."
  - D And sages say, "All are clean."
- 4:5 A Clay vessels
  - from what time do they receive uncleanness?
  - B When they are fired in the furnace.
  - C And that is the completion of their manufacture.
- 5:1 A A baking oven—
  - B "Its beginning [is] four [handbreadths].
  - C "And its remnants [are] four," the words of R. Meir.
  - D And sages say, "Under what circumstances? In the case of a large one, but in the case of a small one—
  - E "Its beginning is any size at all, and its remnants [to remain susceptible] are the larger part [of the original oven]."
  - F From when its manufacture is complete [it becomes susceptible to uncleanness].
  - G What is the completion of its manufacture?

- H When one will heat it sufficiently so that sponge cake may be baked in it.
- I R. Judah says, "When one will heat the new [oven] sufficiently so that in an old one one may bake sponge cakes."
- **5:2** A A [double] stove—

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- 1. Its beginning is three [fingerbreadths].
  - 2. And its remnants are three.
  - 3. When its manufacture is completed.
- When is the completion of its manufacture?
- D When one will heat it sufficiently to boil on it the smallest of eggs, broken and put in a saucepan.
- E The ordinary stove—
- F [If] one made it for baking, its measure is according to that of a baking oven [= four].
- G [If] one made it for cooking, its measure is according to that of a double stove [= three].
- H [As to] the stone which projects:
- I from the baking oven, a handbreadth, or from the stove, three fingers, is a connector.
- J [As to] that which extends from the ordinary stove:
- K [If] one made it for baking, its measure is according to that of an oven;
- L [If] one made it for cooking, its measure is according to that of a double stove.
- M Said R. Judah, "The handbreadth was stated only with reference to [the space] between the oven and the wall."
- N [If] two ovens were side by side, one gives [assigns as a handle] a handbreadth to this one and a handbreadth to that one, and the remainder is clean.
- **5:3** A A crown of a double stove is clean.
  - B The fender of a baking oven, when it is four handbreadths high, receives uncleanness through contact and through airspace. Less than this is clean.
  - C If he joined it to it [the fender joined to the oven], even [merely] on three stones, it is unclean.
  - D "The socket[s] for the oil cruse, the spice box, [and] the lamp which [are] on the stove receive uncleanness by contact but do not receive uncleanness by airspace," the words of R. Meir.
  - E R. Simeon declares clean.
- **5:4** A An oven which was heated from its outer sides, or which was heated without his [the owner's] knowledge, or which was heated in the craftsman's house, is susceptible to uncleanness.
  - B M'SH S: Fire broke out among the ovens of Kefar Signa, and the matter came to Yavneh, and Rabban Gamaliel declared them unclean.
- **5:5** A (1) The chimney piece of [ovens belonging to] householders is clean, and that of [ovens belonging to] bakers is unclean,
  - (2) because one rests the roasting-spit on it.
  - B R. Yohanan Hassandlar says, "Because one bakes in it when he is pressed."
  - C Similarly the rim around the boiler of olive seethers is unclean, and that of the dyers is clean.
- **5:6** A [As to] an oven which one filled with dirt up to its half-

- B from the [top of] the dirt and downward [what is buried in the dirt] is unclean [only] through contact [but it has no airspace]. From the [top of] the dirt and upward is unclean through airspace.
- C [If] one placed it [the oven] over the mouth of the cistern, or over the mouth of the cellar, and placed there a stone—
- D R. Judah says, "If one heats from below and it [the oven] becomes heated from above, it [the oven] is unclean."
- E And sages say, "Since it was heated from any place, it is unclean."
- **5:7** A [As to] an oven which was made unclean— how do they clean it?
  - B One divides it in three [equal] parts and scrapes off the plastering so that it is on the ground.
  - C R. Meir says, "One does not need to scrape off the plastering, and not down to the earth. "But one cuts it down [to] within four handbreadths."
  - D R. Simeon says, "And one needs to move it [from its place]."
  - E [If] one divided it into two parts, one large, one small, the large one is unclean, and the small clean.
  - F [If] one divided it into three parts, one as large as the other two, the large is unclean, and the two small ones are clean.
- **5:8** A [If] one divided it [the oven] [into] rings breadthwise [so that each is] less than four handbreadths [high], it is clean.
  - B [If] one [again set the rings up into an oven and] plastered it over with clay, it receives uncleanness after one will have heated it so as to bake sponge cakes in it.
  - C [If] one removed the plastering from it and placed sand or pebbles between [the oven and the plaster], concerning such an [oven] have they said, "The menstruating woman and the clean woman bake in it, and it is clean."
- **5:9** A [As to] an oven which came in pieces from the craftsman's house, [and] for which he [the owner] made hoops, and on which he placed them [the hoops], and which is clean—
  - B [if] it [that oven] was made unclean, [and] he [the owner] removed the hoops, it is clean.
  - C [If] he restored them to it, it is [still] clean.
  - D [If] he plastered it with plaster, it receives uncleanness, and he does not need to heat it, for it has already been heated.
- **5:10** A [If] he cut it up [breadthwise] into pieces and put dirt between each ring—
  - B R. Eliezer declares [it] clean.
    - And sages declare [it] unclean.
    - C This is the oven of Akhnai.
    - D [As to] the cauldrons of the Arabs, which one digs in the earth and plasters with clay—
    - E if the plaster [after heating] can stand by itself [outside the hole], it is unclean. And if not, it is clean.
    - F And this is the oven of the son of Dinai.
- **5:11** A An oven made of stone or metal is clean.

And it [the metal one] is unclean on account of a vessel made of metal.

B [If] it was perforated, damaged, or cracked, [and] one made for it a plaster [lining] or a patch [rim] of clay, it is unclean.

- C How much must the perforation be?
  - Sufficient for flame to exude through it.
- D And so with respect to a stove:
- E A stove made of stone or of metal is clean.
- F And it is susceptible to uncleanness on account of being a vessel of metal.
- G [If] it is perforated, damaged, or cracked, [and] one made for it clay props, it is unclean.
- H [If] he plastered it with clay, whether on the inside or on the outside, it remains clean.
- I R. Judah says, "[If the plastering is] on the inside, it is unclean, and [if it is] on the outside, it is clean."
- 6:1 A He who makes three clay props on the ground and joined them together with clay so as to set the cooking pot on them—
  - B [the tripod] is unclean.
  - C He fixed three nails into the ground so as to set the cooking pot on them, even though he made on their head a place for the cooking pot to set,
  - D [the tripod] is clean.
  - E He who makes two stones into a stove and joined them with clay—[the stove is] unclean.
  - F R. Judah declares clean until he will add a third, or until he will lean [it] against the wall.
  - G One with clay and one without clay
  - H it is clean.
- **6:2** A A stone [fixed to the ground with clay] on which one was setting [the cooking pot] as well as on the oven—
  - B on it and on the double stove,
  - C on it and on the single stove—
  - D it [the cooking stool] is unclean.
  - E On it and on the stone, on it and on the rock, on it and on the wall—
  - F it is clean.
  - G And this was the stove of the Nazirites who were in Jerusalem: that which is set against a rock.
  - H The stove of the butchers—
  - I when he [the butcher] puts stone beside stone,
  - J [if] one of them was made unclean, all of them have not been made unclean.
- **6:3** A [Regarding] three stones on which one made two double stoves,
  - B [and] one of the outer ones became unclean,
    - C the middle—
    - D that part which serves the unclean [stone] is unclean. That part which serves the clean [stone] is clean.
    - E [If] the clean [outer stone] was removed, the middle stone is decided for uncleanness. If the unclean was removed, the middle was decided for cleanness.
    - F Both the outer ones were made unclean:
    - G if the middle one was large—
    - H one gives to this [outer stone] sufficient [space] for setting on this side, and to this [other] one sufficient for setting on this side, and the rest is clean.
    - I If it was small, the whole is unclean.
    - J The middle one was removed:
    - K if one can set on it a large cauldron, it is unclean.
    - L [If] one put it back, it is clean.

- M [If] one plastered it with clay, it receives uncleanness after one will have heated it sufficiently to boil an egg on it.
- **6:4** A [As to] two stones which one [plastered and so] made as a stove and [which] became unclean—
  - B [if] one set up for this a stone on one side, and for the other a stone on the other side:
  - C half of this [the inner] one [stone] is unclean and half [of the inner one] is clean; and [the inner] half of the other [inner stone] is unclean and half clean.
  - D [If] the clean [= the outer] ones were removed,
  - E these [which made up the original stove] have returned to their uncleanness.
- **7:1** A The fire basket of householders which was diminished [to a distance of] less than three handbreadths [from the top] is unclean,
  - B for one heats from the bottom and the pot boils from above.
  - C [If it was hollowed out to] more than this [distance], it is clean.
  - D [If] one placed stone or pebble [to fill up the hole],
  - E [the basket remains] clean.
  - F [If] one plastered it [the stone or pebble] with clay, it [the fire basket] receives uncleanness from now on.
  - G This was the answer of R. Judah concerning the oven which one set over the mouth of a cistern or a cellar.
- **7:2** A An ash box [of a stove] which has a receptacle for [holding] cooking pots is clean as a stove and unclean as a receptacle.
  - B [As to] its sides—
  - C that which touches them is not unclean on account of a stove.
  - D [As to] its wide side—
  - E R. Meir declares clean.
    - And R. Judah declares unclean.
  - F And so he who inverts the basket and places the stove on it.
- **7:3** A A double stove which was divided lengthwise is clean,
  - B and [that which is divided] breadthwise is unclean.
  - C A single stove which was divided, whether lengthwise or breadthwise, is clean.
  - D The court of the stove, when it is three fingers high, is susceptible to uncleanness through contact and airspace.
  - E Less than that is susceptible to uncleanness through contact but not susceptible through airspace.
  - F How do they measure it?
  - G R. Ishmael says, "One places the spit from top to bottom, and that which is below it is susceptible to uncleanness through airspace."
  - H R. Eliezer b. Jacob says, "[If] the stove is made unclean, the court is made unclean. But [if] the court is made unclean, the stove is not made unclean."
- **7:4** A [If] it [the fender of the stove] was separated from the stove,
  - B when it is three fingerbreadths high, it is susceptible to uncleanness through contact and airspace.
  - C Less than that, or [if] it was flat, it is clean.

- D Three clay crops of three fingerbreadths are susceptible to uncleanness through contact and airspace.
- E Less than this—
- F all the more so are they unclean,
- G and even if they are four.
- **7:5** A "[If] one of them [the three props] was taken away, they [the remaining two] are susceptible to uncleanness through contact [as handles] and are not susceptible through airspace," the words of R. Meir.
  - B R. Simeon declares clean.
  - C "[If] one set two, one opposite the other, they are susceptible to uncleanness through contact and airspace," the words of R. Meir.
  - D R. Simeon declares clean.
  - E [If] they were [more than] three fingers high—
  - F "From three and downward, they are susceptible to uncleanness through contact and through airspace.
  - G "From three and upward they are susceptible to uncleanness through contact [as handles] and are not susceptible to uncleanness through airspace," the words of R. Meir.
  - H R. Simeon declares clean.
  - I [If] they were withdrawn from the lip [rim]—
  - J "[The parts which are] within three fingerbreadths are susceptible to uncleannessness through contact and through airspace.
  - K "[The parts which are] outside three fingerbreadths are susceptible to uncleannessness through contact and are not susceptible to uncleanness through airspace," the words of R. Meir.
  - L R. Simeon declares clean.
- **7:6** A How do they measure them?
  - B R. Simeon b. Gamaliel says, "One places the measuring rod between them. [The airspace] from the rod and outward is clean, [and the airspace] from the rod and inward and the place of the rod [itself] are unclean."
- **8:1** A [As to] the oven which one has divided with hangings—
  - B [if] an insect is found in [any] one place,
  - C the whole is unclean.
  - D [As to] a hive, broken down and patched with straw and hung down into the airspace of the oven—
  - E [if] the insect is in it [the hive],
  - F the oven is unclean.
  - G [If] the insect is in the oven,
  - H foods which are in it [the hive] are unclean.
  - I And R. Eliezer declares clean.
  - J Said R. Eliezer, "If it [the hive] saves [affords protection from uncleanness] in the case of a corpse, which is grave, will it not save [afford protection] in the case of a clay utensil, which is lenient?"
  - K They said to him, "If it [the hive] has saved in the case of a corpse, which is grave—for indeed they divide tents—will it save in the case of a clay utensil, which is lenient, for they do not divide a clay utensil?"

- 8:2 A [If] it [the hive] was whole-and so the hamper, and so the goatskin
  - B [and] the insect is in it [the hive],
  - C the oven is clean.
  - D [If] the insect is in the oven,
  - E foods which are in it [the hive] are clean.
  - F [If] they were perforated,
  - G [as to] that which was made for foods—
  - H their measure is with olives.
  - I [As to] that which was made for liquids—
  - J their measure is with liquids.
  - K [As to] that which was made for this and for that,
  - L they subject it to its more stringent [measure]: With [the capacity to] admit liquid.
- **8:3** A [As to] a colander which is placed over the mouth of the oven [and] sinks into it [the oven] and does not have rims,
  - B [if] the insect is in it,
  - C the oven is unclean.
  - D [If] the insect is in the oven,
  - E foods which are in it are unclean,
    - for only utensils [with an inner part] save from the power of clay utensils.
  - F [As to] a jar which is full of clean liquids and placed below the bottom of the oven,
  - G [if] the insect is in the oven,
  - H the jar and the liquids are clean.
  - I [If] it was turned upside down, and its mouth was [directed] toward the air of the oven,
  - J [if] the insect is in the oven,
  - K dripping liquid which is on the bottom of the jar [nonetheless] is clean.
- **8:4** A [As to] a cooking pot which is placed in the oven:
  - B [if] the insect is in the oven,
  - C the pot is clean. For a clay vessel does not contaminate vessels.
  - D [If] dripping liquid was in it [the pot],
  - E it is made unclean.
  - F Lo, this one [the pot] says, "The things which made you unclean did not make me unclean, but *you* made me unclean."
- 8:5 A A cock which swallowed the insect and fell into the airspace of the oven—
  - B it [the oven] is clean.
  - C And if it [the cock] died,
  - D it [the oven] is unclean.
  - E [As to] the insect which is found in the oven,
  - F the bread which is in it
  - G [is unclean in the] second [degree of uncleanness],
  - H for the oven [is unclean in the] first [degree of uncleanness].
- **8:6** A [As to a clay] leaven pot with a tightly stopped-up cover, and placed in the midst of an oven—
  - B [if] the leaven and the insect are in it [the leaven pot], and the partition is between them,
  - C the oven is unclean, and the leaven is clean.

- D And if there was about an olive's bulk from a corpse, the oven and the house are unclean, and the leaven is clean.
- E If there is an opening of a, handbreadth, the whole is unclean.
- 8:7 A [As to] the insect which is found in the eye [outlet, vent] of the oven, in the eye of the double stove, [or] in the eye of the single stove,
  - B [if the insect was found] from the inner rim [lip] and outward [outside the inner edge], it [the oven] is clean.
  - C And if it [the oven] was in the [open] air,
  - D even [with] about an olive's bulk from the corpse [found in the outlet],
  - E it [the oven] is clean.
  - F But if there is [in the outlet] an opening of a square handbreadth [in length, breadth, and height], the whole [the vent and the oven] is unclean.
- **8:8** A [If] it [the insect] is found [in] the place for setting the logs
  - B R. Judah says, "[If the insect is found] from the outer lip and inward, it [the lip of the oven] is unclean."
    - C And sages say, "[If the insect is found] from the inner lip and outward [the lip of the oven] is clean."
    - D R. Yose says, "[If the insect is found] (from) directly beneath the [place of] setting the cooking pot and inward, it [the oven] is unclean; [if the insect is found] (from) directly beneath [the place of] setting the cooking pot and outward, it [the oven] is clean."
    - E [If] it is found in the place of the seat of the bathhouse attendant, the place of the seat of the dyer, the place of the seat of the olive seethers, it [the oven] is clean.
    - F Only [when the insect is found] from the blocked-up [part of the stove] and inwards is it [the oven] unclean.
- **8:9** A An earth oven which has a place for setting [the pot] is unclean.
  - B And [one] of those who make glass, if there is on it a place for setting the pot, is unclean.
    - C A kiln of limeburners, and of glassblowers, and of potters, is clean.
    - D A big baking oven,
    - E if it has a rim,
    - F is unclean.
    - G R. Judah says, "If it has a roof."
    - H Rabban Gamaliel says, "If it has borders."
- **8:10** A [As to] one unclean through touching a corpse, who had in his mouth foods and liquids:
  - B [if] he poked his head into the airspace of the clean oven—
  - C they [the liquids] have made it unclean.
  - D And the clean [person] who had foods and liquids in his mouth and poked his head into the airspace of the unclean oven—
  - E they [liquids] are made unclean.
  - F [If] one was eating a fig with unclean hands, [and] he poked his hand into his mouth to remove the pit—
  - G R. Meir declares [the fig] unclean.
  - H R. Judah declares [the fig] clean.
  - I R. Yose says, "If he turned over [the fig in his mouth], it [the fig] is unclean. If he did not turn [it] over, it [the fig] is clean."

- J [If] a coin was in his mouth,
- K R. Yose says, "If it is for his thirst, it is unclean."
- 8:11 A The [unclean] woman from whose breasts milk has dripped and fallen into the air[space] of the oven—
  - B it [the oven] is unclean.
  - C For the liquid renders unclean both by intent and not by intent.
  - D [If] she was cleaning it [the oven] out, and the thorn pricked her, and blood came out of her,
    - or [if] she was burned and put her finger into her mouth,
  - E it [the oven] is unclean.
- **9:1** A [As to] a needle or a ring [unclean with corpse uncleanness] which were found [embedded] in the ground of the oven,
  - B [and] they are seen [in the oven] but do not project—
  - C if one bakes the dough, and it [the dough] touches them [the needle or ring],
  - D [the oven is] unclean.
  - E Concerning what sort of dough did they speak? Concerning medium dough.
  - F [If] they [a needle or ring] were found in the plaster of the oven with a tightly fitting cover,
  - G if in an unclean [oven], they are unclean,
  - H and if in a clean [oven], they are clean.
  - I If they were found in the stopper of the jar—
  - J [if found] at its sides [of the stopper], they are unclean.
  - K [If they were found] opposite its mouth, they are clean.
  - L [If] they appear in its midst but not in its airspace, they are clean.
  - M [If] they sink into it,
  - N and under them is [plaster] about as much as the garlic peel,
  - O [they are] clean.
- **9:2** A A jar which is filled with clean liquids, and a siphon is in it, covered with a tightly affixed cover, and placed in the tent of the corpse—
  - B The House of Shammai say, "The jar and the liquids are clean, and the siphon is unclean."
  - C And the House of Hillel say, "Also the siphon is clean."
  - D The House of Hillel reverted to teach according to the words of the House of Shammai.
- **9:3** A [As to the case of] the insect which is found below the ground of the oven—
  - B [the oven is] clean.
    - C For I say, "It fell while alive and now has died."
    - D A needle or ring which were found below the ground of the oven—
    - E [the oven is] clean.
    - F For I say, "They were there before the oven came."
    - G [If] they [the ring or needle] were found in the wood ashes,
    - H [the oven is] unclean.
    - I For it has nothing on which to hang [ = blame it]
- **9:4** A [As to the case of] a sponge which absorbed unclean liquids and was dried on the outside and [then] fell into the airspace of the oven—
  - B [the oven is] unclean,

- C for liquid eventually exudes.
- D And so a piece of turnip or reed grass.
- E But R. Simeon declares clean in [the case of] these two.
- **9:5** A [As to] sherds which have been used [with] unclean liquids and fell into the airspace of the oven,
  - B [if] the oven was heated,
  - C [the oven is] unclean,
  - D for liquid eventually exudes.
  - E And so with new olive peat.
  - F But with old [olive peat],
  - G [the oven is] clean.
  - H And if it is known that liquids exude from them even after three years, it is made unclean.
- **9:6** A [As to] the olive peat and grape skins which were prepared in [the condition of] cleanness, and unclean [people] walked on them, and afterward liquids exuded from them—
  - B [the liquids are] clean.
  - C For in the first place they were prepared in cleanness.
  - D (1) The spindle which swallowed the spindle hook,
    - (2) the ox goad which swallowed up the iron point,
    - (3) the clay brick which swallowed up the ring,
  - E and they are clean—
  - F [if] they entered the tent of the corpse,
  - G they are made unclean.
  - H [If] the *Zab* shifted them,
  - I they are made unclean.
  - J [If] they fell into the airspace of the clean oven,
  - K they have rendered it unclean.
  - L [If] a loaf of heave offering touched them,
  - M [the loaf] is clean.
- **9:7** A [As to] a colander which is placed over the mouth of the oven [forming] a tightly stopped-up cover,
  - B [if] it [the plaster forming the tightly stopped-up cover] was cracked from the oven to the colander—
  - C its measure is the tip of the ox goad, that it [can] not enter.
  - D R. Judah says, "It enters."
  - E [If] the colander was cracked,
  - F its measure is the tip of the ox goad [which can] enter.
  - G R. Judah says, "That it does not enter."
  - H [If] it [the split] was curved,
  - I it is not regarded [as if it were] lengthwise.
  - J But its measure is such that the tip of the ox goad enters.
- **9:8** A [As to] an oven which was perforated at its eye [aperture]—
  - B its measure [that of the hole] is the thickness of a spindle staff, entering and leaving, burning.
  - C R. Judah says, "Not burning."

- D [If] it was perforated from its side,
- E its measure is the thickness of a spindle staff, entering and leaving, not burning.
- F R. Judah says, "Burning."
- G R. Simeon says, "From the middle, entering. From the side, not entering."
- H And so he would rule concerning the stopper of the jug which was perforated: "Its measure is the thickness of the second knot of an oat stalk—
- I "from the middle, entering,
- J "from the side, not entering."
- K And so he would say in regard to large jars which were perforated:
- L "Their measure is the thickness of the second knot of a reed—
- M "from the middle, entering
- N "from the side, not entering.
- O "Under what circumstances?
- P "When they are made for wine.
- Q "But if they are made for other liquids,
- R "however small [the hole], they are unclean.
- S "Under what circumstances?
- T "When they have not been made by man. But if they have been made by man, however little the hole, they [the jars] are unclean."
- U [If] they were perforated:
- V That which is made for foods—their measure is with olives.
- W That which is made for liquids—their measure is with liquids.
- X That which is made for this and that—
- Y they lay on it its more stringent [condition]:
  - (1) a tightly stopped-up cover, and
    - (2) liquids can filter into it.
- **10:1** A These utensils afford protection with a tightly stopped-up cover:
  - B Vessels [made] (1) of dung, vessels (2) of stone, vessels (3) of earth [not fired], vessels (4) of [fired] clay, and vessels (5) of alum crystal;
  - C [vessels made from] (6) bones of the fish, and (7) its skin; (8) bones of an animal which is in the sea [mammals] and (9) its skin;
  - D and (10) [those] wooden vessels
  - E that are clean.
  - F They afford protection
    - (1) whether [the tightly stopped-up cover is] above or at their side
    - (2) whether they are setting on their bottoms or leaning on their sides.
  - G [If] they were turned upside down, they protect all which is under them to the nethermost deep.
  - H R. Eliezer declares unclean.
  - I They protect everything, except for a clay utensil.
  - J For it [a clay utensil] protects only the foods, and the liquids, and clay utensils.
- **10:2** A With what do they stop up?
  - B With (1) lime and with (2) gypsum, with (3) pitch and with (4) wax, with (5) plaster and with (6) excrement, with (7) crude clay and with (8) potter's clay and (9) with any thing which is used for plaster.
  - C They do not stop up either with (10) tin, or with (11) lead, because it is a covering, but it is not tightly stopped-up.

- D They stop up not with swollen fig cake, or with dough which is kneaded in fruit juice, so that one may not bring it to unfitness.
- E And if one stopped up, it [the stopper] affords protection.
- **10:3** A A plug of the jar which became loosened but has not fallen out—
  - B R. Judah says, "It affords protection."
  - C And sages say, "It does not afford protection."
  - D [If] its finger hold was sunk below—
  - E [if] the insect was in it,
  - F the jar is unclean.
  - G [If] the insect was in the jar,
  - H foods which are in it are unclean.
- **10:4** A [As to] the ball and the coil of reed grass which one placed on the mouth of the jar—
  - B if one plastered [them] from the sides [only], it [the ball or coil] does not afford protection,
  - C until one will plaster above and below.
  - D And so with a patch of woven stuff.
  - E [If the cover] was [made] of paper or of leather, and one tied it with a cord, if one plastered [it] from the sides, it affords protection.
- **10:5** A A jar that was scaled off but whose pitch [lining on the inside] stands,
  - B and so pots of fish brine which were stopped up to the lip—
  - C R. Judah says, "They do not afford protection."
  - D And sages say, "They afford protection."
- 10:6 A [In the case of] a jar which was perforated, and which the wine lees have stopped up—
  - B they have protected it.
    - C [If] one stopped it up with the wine shoot,
    - D [it affords protection only] after one will have plastered [it] from the sides.
    - E [If] they were two,
    - F [they afford protection only] after one will have plastered [them both] from the sides and between one wine shoot and its fellow.
    - G [As to] a board which is placed over the mouth of the oven—
    - H if one plastered [it on to the oven] from the sides,
    - I it has afforded protection.
    - J [If] they were two [boards], [they afford protection only] after one will have plastered [both] from the sides and between one board and its fellow.
    - K [If] one made [for] them pegs or joints,
    - L one does not have to plaster [them] from the middle.
- **10:7** A [As to] an old [already fired] oven [which is] in the midst of the new, and a colander [is] over the mouth of the old,
  - B [if] one removed the old and the colander falls,
  - C the whole is unclean.
  - D And if not, the whole is clean.
  - E A new [oven] in the midst of the old one, and a colander is over the mouth of the old—
  - F if there is not between the new one and the colander [a space of] one handbreadth, all which is in the new [oven] is clean.

- **10:8** A Saucepans [of clay]—
  - B this one [is] in the midst of this—
  - C and their lips [are] equal [in height]—
  - D the insect is in the upper one or in the bottom one—
  - E that one [in which the insect is found, bottom or top] is unclean, and all [the rest] of them are clean.
  - F [If] they were [so damaged that] liquids could penetrate:
  - G the insect is in the top one—
  - H all [the rest] of them are unclean.
  - I In the bottom one—
  - J it is unclean, and all [the rest] of them are clean.
  - K The insect is in the top one, and the bottom one exceeds [the others in height]—
  - L it and the bottom one are unclean.
  - M [If it is] in the top one, and the bottom one exceeds [the others in height]—
  - N each one in which there is moist liquid is unclean.
- **11:1** A Metal utensils:
  - B their flat [part]s and their receptacles are unclean.
  - C [If] they have been broken, they have been purified.
  - D [If] one went and made of them [new] vessels, they have returned to their former uncleanness.
  - E Rabban Simeon b. Gamaliel says, "[They return] not to every uncleanness but [only] to the uncleanness of the soul."
- **11:2** A Every utensil of metal which has a name of its own is unclean,
  - B except for
    - 1. the door,
    - 2. and for the bolt,
    - 3. and for the lock,
    - 4. and the hinge socket,
    - 5. and the hinge,
    - 6. and the clapper,
    - 7. and the threshold groove,
  - C which are made [to be joined] to the ground.
- **11:3** A He who makes utensils from (1) the iron ore, (2) the [smelted] pig iron, (3) the iron hoop of a wheel, (4) sheet metal, (5) plating, (6) the bases of [other] utensils, (7) rims of [other] utensils, (8) the handles of [other] utensils, (9) the chippings or from (10) the filings—
  - B [the objects made from these metals] are clean.
  - C R. Yohanan b. Nuri says, "Also from the shattered [iron]."
  - D [He who makes utensils] from (1) sherds of utensils, from (2) refuse, or from (3) nails known to have been made from other utensils—
  - E [the objects made from these metals] are unclean.
  - F From nails—
  - G The House of Shammai declare unclean.
  - H And the House of Hillel declare clean.
- **11:4** A [As to] unclean iron which one smelted with clean iron—

- B if the greater part [was] from the unclean [iron], it is unclean.
- C And if the greater part [was] from the clean, it is clean.
- D Half and half-it is unclean.
- E And so [a utensil made] from cement and from cattle dung.
- F A door bolt is unclean.
- G And [one which is] plated [wood plated with metal] is clean.
- H The clutch and the crosspiece are unclean.
- I And the door bolt:
- J R. Joshua says, "One draws it off this door and suspends it on another on the Sabbath."
- K R. Tarfon says, "Lo it is like all utensils and may be carried in the courtyard."
- **11:5** A The scorpion bit of the bridle is unclean. And [that] of the cheeks is clean.
  - B R. Eliezer declares unclean in the case of the cheeks [as well].
  - C And sages say, "Unclean is only the scorpion bit."
  - D And when they are connected, the whole is unclean.
- **11:6** A A spindle knob of metal—
  - B R. Aqiba declares unclean.
  - C And sages declare clean.
  - D And [if it is] plated [metal on wood, it is] clean.
  - E (1) The spindle, (2) distaff, (3) rod, (4) double flute, and (5) pipe of metal are unclean.
  - F And plated [ones, metal on wood] are clean.
  - G A double flute,
  - H if it has a receptacle for the wings bags of the bagpipe], in any case,
  - I is unclean.
- **11:7** A A curved horn is unclean. And a flat [one] is clean.
  - B If its mouthpiece is of metal, it is unclean.
  - C Its wide [metal end]—
  - D R. Tarfon declares unclean.
  - E And sages declare clean.
  - F And when they are joined, the whole is unclean.
  - G Similarly:
  - H The branches of a candlestick are clean. The cup and the base are unclean. And when they are connected, the whole is unclean.
- **11:8** A A helmet [is] unclean. And cheek-pieces are clean. If they have a receptacle for water, they [are] unclean.
  - B All weapons of war [are] unclean:
    - 1. the javelin,
    - 2. the spearhead,
    - 3. the greaves,
    - 4. and the breastplate-are unclean.
  - C All [metal] ornaments of women are unclean:
    - 1. the golden city [tiara],
    - 2. necklace,
    - 3. [earl rings and [finger] rings:
    - a. and a ring, whether it has a seal, or whether it does not have a seal;

b. and rings of the nose.

- D [As to] a necklace whose metal beads [are] on a thread of flax or of wool:
- E [if] the thread is broken, the beads are unclean, for each one is a utensil unto itself.
- F [As to the case in which] the thread is of metal and the beads are of precious stones or pearls or of glass:
- G [if] the beads are broken, and the thread by itself remains, it is unclean.
- H The remnants of a necklace [remain unclean if they are sufficient to] encompass the neck of a little girl.
- I R. Eliezer says, "Even one ring is unclean, for so they hang it on the neck."
- **11:9** A [As to] an earring which is made like a pot shape from the bottom, and like a lentil from the top, and broke [= the two sections fell apart]—
  - B [the part shaped] like a pot is unclean because of [its forming] a utensil [with] a receptacle.
  - C And [the part shaped] like a lentil is unclean by itself.
  - D The hooklet is clean.
  - E That which is made like a kind of grape cluster and is broken is clean.
- **12:1** A A ring of a man is unclean.
  - B A ring of a beast and of the utensils and all the rest of the rings are clean.
  - C The beam of the arrows is unclean.
  - D And [the beam] of the prisoners is clean.
  - E The neck-piece [of prisoners] is unclean.
  - F A chain which has on it a lock-piece is unclean.
  - G That which is made for tying up is clean.
  - H A chain of the wheat merchants is unclean, and of householders is clean.
  - I Said R. Yose, "When? At the time that it is a single link. But if they were two, or one fastened a slug-piece on the head, it is unclean."
- **12:2** A The balance of the wool combers is unclean, because of hooks.
  - B And [that] of householders, if there are hooks on it, is unclean.
  - C The [lading] hook of the stevedores is clean, and of the peddlers is unclean.
  - D R. Judah says, "[As to that] of the peddlers, the one in front is unclean, and [that which he carries] behind him is clean."
  - E A hook of a bed frame is unclean, and of the bed poles is clean.
  - F [A hook of] the box is unclean, and of the fish trap is clean.
  - G [A hook of] the table is unclean, and of the wooden candlestick is clean.
  - H This is the general rule: Any [hook] that is connected to the unclean [utensil] is unclean, and [one] that is connected to the clean [utensil] is clean. And all of them by themselves are clean.
- 12:3 A A metal basket cover of householders—
  - B Rabban Gamaliel declares unclean.
  - C And sages declare clean.
  - D And that of physicians is unclean.
  - E The [metal] door which is on the cabinet of housholders is clean, and of physicians is unclean.
  - F The smelter's tongs are unclean, and the fire bars are clean.

- G The scorpion [-shaped hook] of the olive press is unclean, and a hook which is on the walls is clean.
- **12:4** A The nail of the bloodletter is unclean, and [the nail] of the sundial is clean.
  - B R. Sadoq declares unclean.
    - C The nail of the weaver's pin is unclean.
    - D And the ark of the grist dealer—
    - E R. Sadoq declares unclean.
    - F And sages declare clean.
    - G [If] its carriage [carrier] was made of metal, it is unclean.
- **12:5** A A nail which one set up so as to open and close (with it) is unclean.
  - B That which is used for protection is clean.
  - C A nail which one set up to open the jar—
  - D R. Aqiba declares unclean.
  - E And sages declare clean, until one will have forged it [anew].
  - F A nail of a money changer is clean.
  - G And R. Sadoq declares unclean.
  - H Three things does R. Sadoq declare unclean and do sages declare clean:
  - I (1) A nail of the money changer, (2) and the chest of the grist dealer and (3) the nail of the sundial—
  - J R. Sadoq declares unclean.
  - K And sages declare clean.
- **12:6** A Four things does Rabban Gamaliel declare unclean, and do sages declare clean:
  - B (1) A metal basket cover of householders, (2) the hanger of a strigil, (3) unfinished metal utensils, and (4) a tray which was divided into two.
  - C And sages agree with Rabban Gamaliel concerning a plate which was divided into two, one large and one small, that the large is unclean, and the small clean.
- **12:7** A A *denar* which became defective and which one fashioned to hang on the neck of a little girl is unclean.
  - B And so a *sela* which became defective and which one fashioned for use as a measure is unclean.
  - C How defective may it become and yet be fit for use [as a coin]? Up to two *denars*. Less than this—let it be cut up.
- **12:8** A The penknife, pen, plummet, weights, pressing plates, measuring rod, and the measuring tables are unclean.
  - B And all unfinished wooden utensils are unclean, except for the [ones made of] boxwood.
  - C R. Judah says, "Also [what is made from] branches of olive [trees] is clean, until it will be heated [for drying]."
- **13:1** A (1) The sword, (2) knife, (3) dagger, (4) spear; (5) hand sickle, and (6) a harvest sickle, (7) razor, (8) pair of barber's scissors which were divided, lo, these are unclean.
  - B R. Yose says, "That [part] which is near the hand[le] is unclean, and that [part] which is near the head is clean."
  - C Shears which are divided into two—

- D R. Judah declares unclean.
- E And sages declare clean.
- **13:2** A A shovel fork whose shovel end was taken away is unclean because of its tooth.
  - B [If] its tooth was taken away, [it is] unclean because of its shovel end.
    - C A kohl stick whose spoon was removed is unclean because of its point. [If] the point is taken away, [it is] unclean because of the spoon.
    - D A stylus whose stylus was taken away is unclean because of the eraser. [If] the eraser is taken away, [it is] unclean because of the stylus.
    - E A soup ladle whose spoon was taken away is unclean because of the fork. [If] the fork was taken away, [it is] unclean because of the spoon.
    - F And so the tooth of the mattock.
    - G The measure of all of them [to remain susceptible to uncleanness is a sufficient remnant] to do their [usual] work.
- **13:3** A A coulter which was damaged is unclean until the greater part is removed. [If] its shaft socket is broken, [it is] clean.
  - B A hatchet head whose cutting edge is removed is unclean because of its splitting edge. [If] the splitting edge is removed, it is unclean because of its cutting edge.
  - C [If] its shaft socket is broken, it is clean.
- **13:4** A "A shovel whose blade was removed is unclean because it is like a ham mer," the words of R. Meir.
  - B And sages declare clean.
  - C A saw one of every two of whose teeth is removed is clean. [If] there remain on it [a span of teeth] the length of a *sit* in one place, it is unclean.
  - D The adze, the scalpel, the plane, and the drill which have been damaged are unclean.
  - E [If] their sharp edge is removed, they are clean.
  - F And all of them which have been divided into two are unclean, except the drill.
  - G The block of a plane by itself is clean.
- **13:5** A A needle whose eye is removed, or its point, is clean. If one made it into a stretching pin, it is unclean.
  - B [A pin] of the pack makers whose eye was removed is [still] unclean, because he writes with it. [If] its point was removed, it is clean.
  - C [A needle] for stretching one way or the other, is unclean.
  - D A needle which has become rusty, if [the rust] prevents sewing, is clean. And if not, it is unclean.
  - E A hook which was straightened out is clean. [If] one bent it, it has returned to its uncleanness.
- **13:6** A Wood that serves [as subsidiary to] the metal is unclean. And the metal which serves the wood is clean.
  - B How so?
  - C A lock [which is] of wood and its clutch of metal, even one [clutch], is unclean.
  - D A ring which is of metal and its seal of coral is unclean. A ring which is of coral and its seal of metal is clean.
  - E The tooth in the plate of the lock or in the key is unclean by itself.

- **13:7** A The Ashkelon grappling irons which were broken and the hook of which remains, lo, these are unclean.
  - B The [wooden] pitchfork, the winnowing fork, and the rake, and so too a haircomb, one of whose teeth was removed, and [the wooden tooth of] which one repaired with metal, lo, these are unclean.
  - C And concerning all of them said R. Joshua, "A new thing did the scribes innovate, and I have no answer [for their critics]."
- **13:8** A A comb for flax whose teeth have been removed and on which two remained is unclean. And [if] one [remained, it is] clean.
  - B And all of them, one by one, by themselves are unclean.
  - C And [a comb] for wool, one of every two of whose teeth has been removed, is clean.
  - D [If] three remained on it in one place, it is unclean. [If] the outermost was one of them, it is clean.
  - E [If] two were removed from it, and one made them into forceps, they are unclean.
  - F [If] one [remained] and one made it [for use in cleaning] a lamp or a stretching pin, it is unclean.
- **14:1** A Metal utensils—how much is their measure?
  - B A bucket—sufficient to draw [water] with it.
  - C A kettle—sufficient to warm in it.
  - D A pot—sufficient to receive *selas*.
  - E A cauldron—sufficient to receive jugs.
  - F Jugs—sufficient to receive *perutot*.
  - G Wine-measures—with wine.
  - H And oil measures—with oil.
  - I R. Eliezer says, "All of them with *perutot*.
  - J R. Aqiba says, "That which lacks trimming is unclean. And that which lacks polishing is clean."
- **14:2** A A staff on the head of which one made a nail like a club is unclean. [If one studded it with] nails, it is unclean.
  - B R. Simeon says, "Until one will have made on it three rows."
  - C And all of them which one affixed for ornament are clean.
  - D [If] one put on its head a [metal] siphon, and so on a door, it [the siphon] is clean.
  - E [If] it was a utensil and one affixed it to it, it [the siphon] is unclean.
  - F From what point does it become clean?
  - G The House of Shammai say, "After he will have damaged it."
  - H The House of Hillel say, "After he will have affixed it."
- **14:3** A A crowbar of the builder and the pick of the carpenter, lo, these are unclean.
  - B The pins of tents and the pins of surveyors are unclean.
  - C The chain of the surveyors is unclean. That [ = chain] which is used for [tying up bundles of] wood is clean.
  - D The chain of a large bucket [is clean up to] four handbreadths, and of the small [bucket], to ten.
  - E A jack of a blacksmith is unclean.

- F A saw in the midst of the hole of which one put its teeth is unclean. [If] one affixed it from above to below, it is clean.
- G And all covers are clean except for that of the kettle.
- 14:4 A The unclean [metal parts] of the [wooden] wagon: (1) the metal yoke, (2) and the crossbar, and (3) the wings [side pieces] which hold the straps, and (4) the iron which is under the neck of the cattle; (5) the pole pin, and (6) the girth, and (7) the trays, and (8) the clapper, and (9) the hook, and (10) the nail which holds all of them together.
- 14:5 A The clean [parts] of the wagon:
  (1) the plated yoke [wood plated with metal], (2) the side pieces which are made for ornamentation, (3) tubes which give out noise, (4) the lead by the side of the necks of the cattle, (5) the rim of the wheel, (6) the plates, (7) the mountings, and (8) the rest of the nails are clean.
  - B The metal shoes of the cattle are unclean, but those of cork are clean.
  - C The sword—from what point does it receive uncleanness? Once one will have polished it. And a knife? Once one will have whetted it.
- 14:6 A A basket cover of metal on which one made a mirror—
  - B R. Judah declares clean.
  - C And sages declare unclean.
  - D A [metal] mirror which was broken, if it does not reflect the larger part of the face, is clean.
- **14:7** A "Metal utensils are made unclean and are cleansed [while] broken," the words of R. Eliezer.
  - B R. Joshua says, "They are not made clean except when whole."
  - (C How so?)
  - D "[If] one sprinkled on them [after they had become unclean through corpse uncleanness, and] they broke on that very day, [and then] one recast them and went and sprinkled on them a second time on that same day, lo, these are clean," the words of R. Eliezer.
  - E R. Joshua says, "Sprinkling is [done] no less than on the third and seventh days."
- **14:8** A A knee-shaped key which was broken at its knee is clean.
  - B R. Judah declares unclean, because he opens with it from the inside [part of the key].
  - C And a *gamma*-shaped [key] which was broken at its gamma is clean.
  - D [If] there were on it teeth and gaps, it is unclean. [If] the teeth were removed, it is unclean because of the gaps. [If] the gaps were blocked up, it is unclean because of the teeth. [If] the teeth were removed and the gaps filled up, or merged into one another, it is clean.
  - E A mustard strainer in which the three holes in the bottom merged into one another is clean.
  - F And the metal mill funnel is unclean.
- **15:1** A Utensils of wood, utensils of leather, utensils of bone, utensils of glass:
  - B when they are flat, they are clean.
  - C And when they form receptacles, they are unclean.
  - D [If] they have been broken, they are clean.
  - E [If] one made from them [from their sherds or remnants, new] vessels, they receive uncleanness from now and henceforward.

- F "The chest, the box, and the tower (cupboard), a straw hive, and a reed hive [basket], and a tank of an Alexandrian ship
- G "which have [flat] bottoms
- H "and hold forty *seahs* in liquid measure, which are the same as two *kors* in dry measure
- I "lo, these are clean.
- J "And all the rest of the utensils, whether they hold or whether they do not hold [something],
- K "are unclean," the words of R. Meir.
- L R. Judah says, "The tub of a [water] wagon and the food chests of kings, and the tanner's trough, and the tank of a small ship, and the ark,
- M "even though they hold [the requisite volume],
- N "are unclean,
- O "for they are made to carry only what is in them.
- P "And all other utensils—
- Q "those that hold [the requisite volume] are clean.
- R "And which do not hold are unclean."
- S Between the opinion of R. Meir and that of R. Judah, the difference concerns only the baking trough of the householder.
- **15:2** A The baking boards of bakers are unclean, and of householders are clean.
  - B [If] one colored them red or colored them saffron, they are unclean.
  - C The board of the bakers which one affixed onto the wall—
  - D R. Eliezer declares clean.
  - E And sages declare unclean.
  - F The frame of the bakers is unclean, and that of householders is clean.
  - G [If] one shut it up [with rims] on all four sides, it is unclean.
  - H [If] it [the rim] was broken off from one direction, it is clean.
  - I R. Simeon says, "If he [the householder] arranged it [the frame] so as to be separating on it, it is unclean."
  - J And so the rolling pin is unclean.
- **15:3** A The container of the sifter of the flour dealers is unclean, and of house holders is clean.
  - B R. Judah says, "Also that of hairdressers is subject to uncleanness from sitting,
    - C "because girls sit on it and have their hair done."
- **15:4** A "All hangers [affixed to utensils] are unclean, except for the hanger of the sifter or riddle of the householders," the words of R. Meir.
  - B And sages say, "They all are clean, except for the hanger of the sifter of the flour dealers, and the hanger of the sieve of the threshing floors, and the hanger of the hand sickle and the hanger of the excisemen's staff, because they assist in the time of the work."
  - C This is the general rule: That which is made to assist in the time of work is unclean. That which is made for hanging is clean.
- **15:5** A The shovel of the grist dealers is unclean, and of the storerooms is clean. That of the winepresses is unclean, and of the threshing floors is clean.
  - B This is the general rule: That which is made for receiving is unclean, and for gathering is clean.

- **15:6** A Harps for singing are unclean, and harps of the sons of Levi are clean.
  - B All the liquids are unclean, and the liquids of the slaughterhouse are clean.
  - C All scrolls render the hands unclean, except for the scroll of the courtyard.
  - D (1) *The markof* is clean.
    - (2) The lute, (3) woodfen leg, and (4) drum, lo, they are unclean.
  - E R. Judah says, "The drum is susceptible to the uncleanness of something that is sat upon, because the wailing woman sits on it."
  - F The weasel trap is unclean, and that of mice is clean.
- **16:1** A Every wooden utensil which has been divided into two is clean, except for (1) the folding table, (2) serving dish, and (3) footstool of a householder.
  - B R. Judah says, "Also (4) the double dish and (5) Babylonian tray are like them."
  - C Wooden utensils—from what time do they receive uncleanness?
  - D The bed and the cot—when one will have rubbed them with fish skin.
  - E [If] one decided not to rub [it], it is [forthwith] unclean.
  - F R. Meir says, "The bed—when one will have knit together on it three rows [of the mesh of the underwebbing]."
- **16:2** A The baskets of wood— [when is the completion of their manufacture?] When one will have bound round [their rims] and smoothed off [the rough ends].
  - B And [the basket made] of the palm branch, even though one has not smoothed off the inside, is unclean, for thus they will keep [it].
  - C A [large] basket—when one will have bound round [the rims] and smoothed off [the rough ends] and finished its hanger.
  - D A [wicker] case for flagons or for cups, even though one has not smoothed off the inside, is unclean, for thus they keep [it].
- **16:3** A The small [food] baskets and the hand baskets— when one will have bound round [their rims] and smoothed off [the rough ends].
  - B The large [food] baskets and the large hampers— when one will have made two circling bands around their circumference.
  - C The container of the sifter or sieve, and the cup of the scales—when one will have made one circling band around their circumference.
  - D The willow basket—when one will have made two twists around its cir cumference.
  - E And the rush basket—when one will have made one twist on it.
- **16:4** A Utensils of leather— from what time do they receive uncleanness?
  - B (1) The shepherd's bag— after one will have stitched [its hem] and smoothed [its rough ends] and made its thongs.
  - C R. Judah says, "When one will have made its handles."
  - D (2) A leather apron—after one will have stitched [its hem] and smoothed [its rough ends] and made its thongs.
  - E R. Judah says, "When one will have made its rings."
  - F (3) A leather bed cover—after one will have stitched [its hem] and smoothed [its rough ends].
  - G R. Judah says, "When one will have made its thongs."
  - H (4) The pillow and the mattress of leather—after one will have stitched [its hem] and smoothed [its rough ends].

- I R. Judah says, "After one will have sewed them and left on them less than five handbreadths."
- **16:5** A A fig basket is unclean. And the rubbish basket is clean.
  - B Little fruit baskets made of leaves are clean, and of twigs are unclean.
  - C The wicker wrapping in which one can place and from which remove [fruit without tearing] is unclean.
  - D And if one cannot [do so] until he will tear it, or until he will untie it, it is clean.
- **16:6** A A leather glove of winnowers and of travellers and of flax workers is unclean.
  - B But that of dyers and of smiths is clean.
  - C R. Yose says, "Also, that of grist dealers is like them."
  - D This is the general rule: That which is made for receiving [utensils], and on account of [absorbing] perspiration is clean.
- **16:7** A (1) A bag [to hold the dung] of a bullock, and (2) its muzzle, and (3) the smoker of the bees, and (4) the fan, lo, these are clean.
  - B The cover of the casket is unclean. The cover of the clothes chest is clean.
  - C (1) The cover of an ark, (2) the cover of a basket; (3) and the vise of the carpenter; and (4) the cushion under an ark, and (5) its arched cover, and (6) the reading desk of a scroll;
    - (7) the bolt socket, (8) the lock socket;

and (9) the case of the *mezuzah*, *and* (10) the case of the viol, and (11) the box of the lyre; and (12) the block of the turban makers, and (13) the *markof* for the song and (14) the clappers of the wailing women;

and (15) the poor person's parasol; and (16) the struts of the bed;

and (17) the mould of the phylactery, and (18) the block of those who make cloaks, lo, these are clean.

D "This is the general rule," said R. Yose."Whatever [flat wood or leather utensil] is an accessory to things which a man uses [both] when [the utensil] is in use and when [the utensil is] not in use is unclean.

"And whatever is only for the time that it is in use is clean."

- **16:8** A The sheath of (1) the sword, (2) knife, and (3) dagger;
  - B the case of (4) scissors, (5) shears, and (6) razor;
  - C the box of (7) the kohl stick, (8) the box of the kohl, (9) the box of the stylus;
  - D and (10) a box with many partitions, (11) the case of the tablet, and (12) of a leather apron;
  - E and the (13) quiver of the arrows, and the (14) javelin case, lo, these are unclean.
  - F The case for a double flute—
  - G when one puts [the flute] in from above, is unclean;
  - H [and when one puts the flute in] from its side, is clean.
  - I The case for the pipes—
  - J R. Judah declares clean, because one puts it in from its side.
  - K The covering of the club, the bow, and the spear, lo, these are clean.
  - L This is the general rule: That which is made for a case is unclean. And that which is made for a cover is clean.
- 17:1 A All utensils of householders—their measure [is] with pomegranates.

- B R. Eliezer says, "In any size" [or: "On what they are"].
- C Baskets of gardeners—their measure is with bundles of vegetables.
- D And [baskets] of householders—with straw.
- E And of bath keepers—with shavings.
- F R. Joshua says, "All of them—with pomegranates."
- **17:2** A The goatskin—its measure is with warp clews.
  - B If it does not receive warp clews, even though it receives woof clews, it is unclean.
  - C A dish holder which does not hold dishes, even though it holds trays, is unclean.
  - D A chamber pot which does not receive liquids, even though it will receive the excrement, is unclean.
  - E R. Gamaliel declares clean, because they do not keep it.
- **17:3** A Breadbaskets—their measure is with loaves of bread.
  - B A papyrus basket for which one made reeds below and above for strength ening is clean.
  - C [If] one made for it handles of any sort, it is unclean.
  - D R. Simeon says, "If it cannot be taken up by the handles, it is clean."
- 17:4 A The pomegranates of which they have spoken [are] three fastened to one another.
  - B Rabban Simeon b. Gamaliel says, "In a sifter or a sieve— sufficient so that one may take and shake.

"And in a hamper, sufficient to hang it behind him."

- C "And all the rest of the utensils which are not able to receive pomegranates, such as the quarter-[qab] and the half-quarter-[qab] and the small baskets their measure is with their greater part," the words of R. Meir.
- D R. Simeon says, "With olives."
- E [If] they were broken through, their measure is with olives.
- F [If] they were worn away, their measure is with any amount.
- 17:5 A The pomegranate of which they have spoken— not small, and not large but intermediate.
  - B And why were the pomegranates of Badaan mentioned?
  - C "That they should render forbidden in any quantity," the words of R. Meir.
  - D R. Yohanan b. Nuri says, "To measure utensils by them."
  - E R. Aqiba says, "For this and for that have they been mentioned: (1) To measure utensils with them, and (2) so that they should render forbidden in any amount."
  - F Said R. Yose, "The pomegranates of Badaan and the leeks of Geba were mentioned only so that they should be tithed in any place as being [previously] certainly untithed."
- **17:6** A The [measure] of the egg of which they have spoken— not a large, and not a small but a medium-sized [egg].
  - B R. Judah says, "One brings the largest of the large [eggs] and the smallest of the small [eggs] and places them in water and divides [the volume of] the water."
  - C Said R. Yose, "And who will inform me which is largest and which is smallest? But everything is according to the opinion of the one who sees."
- **17:7** A The [measure of] the dried fig of which they have spoken—not large, and not small but middle-sized.

- B R. Judah says, "The largest which is in the land of Israel is the middle sized [one] of the [other] provinces."
- **17:8** A The olive of which they have spoken— not large, and not small but middle-sized.
  - B This is one [fit for] storage.
  - C The barleycorn of which they have spoken—not large, and not small but middle-sized.
  - D This is the [one from the] wilderness.
  - E The lentil of which they have spoken—not large, and not small but middle-sized.
  - F This is the Egyptian [lentil].
  - G "All movable objects convey the uncleanness if as thick as an ox goad"—not large and not small but middle-sized [ox goads are referred to].
  - H What is the middle-sized [one]?
  - I Any that is a handbreadth in circumference.
- **17:9** A The cubit of which they have spoken—with a middle-sized cubit.
  - B And two cubits were in the Palace of Shushan, one at the northeastern corner, and one at the southeastern corner. [That one] which was on the northeastern corner was longer than that of Moses by a half-fingerbreadth, and that one which was at the southeastern corner was longer than it by a half-fingerbreadth. It comes out that it was longer than that of Moses by a fingerbreadth.
  - C And why have they said one larger and one smaller? So that the workers [would] take according to the smaller [measure] and return according to the larger, so that they should not happen to commit sacrilege.
- **17:10** A R. Meir says, "All the cubit [measures] were middle-sized, except for the golden altar and the horns and the circuit and the base [of the altar],'
  - B R. Judah says, "The cubit of building was six handbreadths and of utensils five."
- **17:11** A And there are [instances in] which they spoke concerning a small[er] measure:
  - B Measures for wet and dry [wares]—their measure is with the Italian [standard].
    - C This is the one [of the time of] the wilderness.
    - D And there are [instances in] which they have said, "Everything is according to the measure of the man."
    - E He that takes a handful of meal offering, he that takes both hands full of incense, and he that drinks a mouthful on the Day of Atonement,
    - F and the food for two meals for the *erub*—
    - G "One's food for weekdays and not for the Sabbath," the words of R. Meir.
    - H R. Judah says, "For the Sabbath but not for a weekday."
    - I These and those intend to give the more lenient ruling.
    - J R. Simeon says, "[It should consist] of two-thirds of a loaf of [a size] three to the *qab*."
    - K R. Yohanan b. Beroqah says, "[Not less than] one loaf worth a *pondion* [from wheat costing] one *sela* for four *seahs*."
- 17:12 A And there are [instances in] which they have spoken of a large measure:
  - B "A ladleful of corpse mould"— according to the large ladleful of physicians.
  - C "And the split bean in leprosy signs"—like the Cilician split bean.
  - D "He that eats on the Day of Atonement a large date's bulk"—the like of it together with its stone.

- E And bags of wine and oil—their measure is according to their large stopper.
- F "And the light hole not made by the power of man"—its measure is that of a large fist.
- G This is the fist of Ben Battiah.
- H Said R. Yose, "That is the size of a large head of a man."
- I "And that which is made by the power of man"—its measure is like the [hole made by] the large drill that lay in the chamber [of the Temple], which is the size of (1) the Italian *pondion*, (2) the Neronian *sela*, or (3) the hole in a yoke.
- 17:13 A All [utensils made from the skin of creatures] which are in the sea are clean—
  - B "except for [that made from] the sea dog, because it flees to dry land," the words of R. Aqiba.
  - C He who makes vessels from that which grows in the sea and connected to them [something made] from that which grows on the land, even a thread or a cord, something which receives uncleanness,
  - D —[the object is] unclean.
- 17:14 A And there is uncleanness in respect to that which was created on the first day.
  - B For [that which was created] on the second [day], there is no uncleanness.
  - C For [that which was created] on the third [day], there is uncleanness.
  - D For [that which was created] on the fourth and on the fifth, there is no uncleanness,
  - E except for the wing of the vulture and the plated egg of an ostrich.
  - F Said R. Yohanan b. Nuri, "Why is the wing of the vulture different from all [other] wings?"
  - G And all which was created on the sixth day is unclean.
- **17:15** A He who makes a receptacle of any sort—it is unclean.
  - B He who makes [that which could be] lain upon or sat upon of any sort—it is unclean.
  - C He who makes a purse of untanned hide or paper—it is unclean.
  - D The pomegranate, the acorn, or the nut which the children have fashioned [so as] to measure the dirt with them, or which they have adapted as a pair of scales—it is unclean,
  - E for they [children] have the capacity to do a deed and do not have the capacity to effect intention.
- 17:16 A A beam of a balance, and the leveling rod which have a receptacle for metal,
  - B and the carrying yoke in which is a receptacle for coins,
  - C and a poor man's cane which has a receptacle for water,
  - D and a staff which has a receptacle for a *mezuzah* or pearl[s],
  - E lo, these are unclean.
  - F And concerning them all did Rabbi Yohanan b. Zakkai say, "Woe is me if I speak, woe is me if I do not speak."
- **17:17** A The base of a goldsmith's anvil is unclean, and that of smiths is clean.
  - B A whetstone which has on it a receptacle for oil is unclean, and which does not have on it [such a receptacle] is clean.
  - C A writing tablet which has on it a receptacle for wax is unclean, and which does not have [a receptacle] on it is clean.
  - D Matting of straw and the tube of straw—

- E R. Aqiba declares unclean.
- F And R. Yohanan b. Nuri declares clean.
- G R. Simeon says, "Also that of the hollow stalk of colocynth is like them."
- H Matting of reed or of rushes is clean.
- I A reed tube which one cut for receiving [something] is clean, [remaining so] until one will remove all the pith.
- **18:1** A The chest—
  - B The House of Shammai say, "[It] is measured from the inside [to determine its volume]."
  - C And the House of Hillel say, "It is measured from the outside."
  - D These and those agree that the thickness of the legs and the thickness of the rims is not measured.
  - E R. Yose says, "They agree that the thickness of the legs and the thickness of the rims is measured. But [the space] between them is not measured."
  - F R. Simeon Shezuri says, "If the legs are a handbreadth high, [that space which is] between them is not measured, and if not, [that space which is] between them is measured."
- **18:2** A Its device [trundle],
  - B when it may be slipped off—
    - 1. is not connected to it,
    - 2. and is not measured with it,
    - 3. and is not afforded protection with it in the tent of the corpse,
    - 4. and they do not drag [the trundle] on the Sabbath when there are coins in it [the chest].
  - C And if it may not be slipped off—
    - 1. it is connected to it,
    - 2. and is measured with it,
    - 3. and affords protection with it in the tent of the corpse,
    - 4. and they do drag it on the Sabbath even though there are coins in it.
  - D Its arched top, when it is fixed,
    - 1. is connected to it,
    - 2. and is measured with it.
  - E And if it is not fixed,
    - 1. [it] is not connected to it,
    - 2. and is not measured with it.
  - F How do they measure it?
  - G Oxhead fashion.
  - H R. Judah says, "If it [the chest] cannot stand by itself, it [the chest] is clean."
- **18:3** A The chest, box, and [or] cupboard [of less than prescribed measure], one of whose legs has been removed,
  - B even though they contain [something],
  - C are clean,
  - D for they do not contain [something] according to their usual fashion.
  - E R. Yose declares unclean.
  - F And (1) the poles of the bed and (2) the bed base and (3) the bed cover are clean.
  - G Unclean is only the bed and the bed frame.
  - H And the bed frames of the sons of Levi are clean.

- **18:4** A The bed frame which one set on tongues—
  - B R. Meir and R. Judah declare unclean.
  - C R. Yose and R. Simeon declare clean.
  - D Said R. Yose, "What is the difference between this and the bed frames of the sons of Levi? For the bed frames of the sons of Levi are clean."
- **18:5** A [As to] a bed which was unclean with *midras* uncleanness—
  - B [if] a short side and two legs are removed,
    - C it [still] is unclean.
    - D [If] the long side and two legs fare removed],
    - E [it] is clean.
    - F R. Nehemiah declares unclean.
    - G [If] one cut off two tongues at diagonally opposite corners, [or] cut off two legs at diagonally opposite corners by a square handbreadth, or diminished it [to] less than a handbreadth,
  - H [it] is clean.
- **18:6** A [As to] a bed which was unclean with *midras* uncleanness—
  - B [if] a long [side] was broken, and then repaired it,
  - C [the bed still is] unclean with *midras* uncleanness.
  - D [If] a second was broken, and one repaired it, it [the bed as a whole] is clean from *midras* uncleanness but unclean with the uncleanness imparted by contact with *midras* uncleanness.
  - E [If] one did not have time to repair the first before the second was broken, it [the bed] is clean.
- **18:7** A [As to] a bed leg which was unclean with *midras* uncleanness and [which] one attached to the bed—
  - B the whole [bed] is unclean with *midras* uncleanness.
  - C [If] one took it off, it [the leg] is unclean with *midras* uncleanness, and the bed [is unclean] with the uncleanness imparted by contact with *midras* uncleanness.
  - D [If] it was unclean with seven-day uncleanness and one attached it to the bed, the whole thing is unclean with the seven-day uncleanness.
  - E [If] one took it off, it is unclean with seven-day uncleanness, and the bed is unclean with uncleanness which lasts until the evening.
  - F [If] it was unclean with the uncleanness which lasts until the evening, and one attached it to the bed, the whole thing is unclean with the uncleanness that lasts until the evening.
  - G [If] one removed it, it is unclean with the uncleanness that lasts until the evening, and the bed is clean.
  - H And so with the tooth of the plough.
- **18:8** A [As to a head] phylactery [of] four utensils—
  - B [if it had contracted corpse uncleanness and] one untied the first section and repaired it, it [the replacement] is unclean with corpse uncleanness, and so the second, and so the third.
  - C [If] one unloosed the fourth, it [the whole] is clean from corpse uncleanness but is unclean from the uncleanness imparted by contact with corpse uncleanness.
  - D [If] one went back to the first and unloosened it and repaired [replaced] it, it [the new box] is unclean through contact, and so the second.

- E [If] one unloosed the third, [the whole phylactery] is clean, for the fourth is [unclean] with contact [uncleanness] and contact [uncleanness] does not cause contact [uncleanness].
- **18:9** A A bed half of which was stolen, or half of which was lost, or which brothers divided into half, or [which] partners [divided into half], is clean.
  - B [If] they put it back together, it receives uncleanness from now on.
  - C "A bed is rendered unclean [only] when bound together and is rendered clean [only] when bound together," the words of R. Eliezer.
  - D And sages say, "It is rendered unclean in pieces and is made clean in pieces."
- **19:1** A He who unties the bed to immerse it— he who touches the ropes is clean.
  - B The rope—from what time is it [regarded as] connected to the bed?
  - C From [the time] that one will have knotted three [rows of] meshes with it.
  - D And he who touches [the rope] from the knot and inwards is unclean. From the knot and outwards he is clean.
  - E The loose ends of the knot—he who touches on [that part which is] needed for it is unclean.
  - F And how much is needed for it?
  - G R. Judah says, "Three fingerbreadths."
- **19:2** A The rope which hangs over from [the webbing of] the bed—
  - B up to five handbreadths is clean.
  - C From five handbreadths and to ten is unclean.
  - D From ten and more is clean.
  - E For with it they tie the Passover lambs and hang up the beds.
- **19:3** A The bed girth which hangs over from the bed—
  - B "Any amount," the words of R. Meir.
  - C R. Yose says, "Up to ten handbreadths."
  - D [As to] the remnants of the bed girth, seven handbreadths [are unclean],
  - E sufficient to make it a saddle for an ass.
- **19:4** A "[If] the *Zab* was carried on the bed and on the bed girth, it renders unclean at two removes and renders [heave offering] unfit at one [remove]," the words of R. Meir.
  - B R. Yose says, "[If] the *Zab* is carried on the bed and on the bed girth, [up to] ten handbreadths renders unclean at two removes and renders unfit at one. From ten handbreadths and beyond, it [the girth] renders unclean at one remove and renders [heave offering] unfit at one.
  - C "[If a *Zab*] was carried on the bed girth, from ten [handbreadths] and within, [the girth is] unclean. From ten [from the bed] and beyond, [the girth is] clean."
- **19:5** A A bed which was unclean with *midras* uncleanness, and around which one wrapped a bed girth—the whole is unclean with *midras* uncleanness.
  - B [If] it [the girth] was removed, it [the bed] is unclean with *midras* uncleanness, and the bed girth with the uncleanness imparted by contact with *midras* uncleanness.
  - C [If] it [a bed] was unclean with seven-day uncleanness, and one wrapped a bed girth around it, the whole thing is unclean with seven-day uncleanness.

- D [If] it [the girth] was removed, it is unclean with seven-day uncleanness, and the bed girth is unclean with the uncleanness which passes at sunset.
- E [If] it was unclean with the uncleanness which passes at sunset, and one wrapped around it a bed girth, the whole thing is unclean with the uncleanness which passes at sunset.
- F [if] it was removed, it is unclean with the uncleanness which passes at sunset, and the bed girth is clean.
- **19:6** A [As to] a bed which one wrapped with a bed girth and which the corpse touched—
  - B [both] are unclean with seven-day uncleanness.
    - C [If] they separated [from one another], [both] are unclean with a seven-day uncleanness.
    - D [If] the creeping thing touched them, they are unclean with the uncleanness which passes in the evening.
    - E [If] they separated, they are unclean with the uncleanness which passes in the evening.
    - F A bed from which two long pieces were removed, and for which one made new ones but [for which] one did not change the sockets,
    - G if the new ones were broken, [the bed] is unclean.
    - H And [if] the old ones [were broken], [the bed is] clean.
    - I For everything follows the old.
- **19:7** A A box whose opening is on top is susceptible to corpse uncleanness.
  - B [If, after contracting corpse uncleanness] it was damaged on the top, it [still] is unclean with corpse uncleanness.
  - C [If] it was damaged on the bottom, it is clean.
  - D The drawers which are in it are unclean and are not connected to it.
- **19:8** A The shepherd's bag, the inner pocket of which was broken, is unclean, and it [the bag] is not connected to it [the pocket].
  - B The goatskin, of which the testicle bags contain with it, and [the testicle bags of which] were damaged—
  - C [the bags] are clean,
  - D for they do not hold [water] in their normal fashion.
- **19:9** A A box which was damaged on its side is susceptible both to *midras* uncleanness and to corpse uncleanness.
  - B Said R. Yose, "When? When it is not ten handbreadths high, or when it does not have a rim a handbreadth high."
  - C If it was damaged on the top, it is susceptible to corpse uncleanness.
  - D [If] it was damaged on the bottom—
  - E R. Meir declares unclean.
  - F And sages declare clean,
  - G because [if] the primary purpose is annulled, the secondary purpose is annulled.
- **19:10** A A dung basket which was damaged [so as to be unable] to hold pomegranates—
  - B R. Meir declares unclean.
  - C And sages declare clean,
  - D because [if] the primary purpose is annulled, the secondary purpose is annulled.

- **20:1** A The mattresses and the pillows and the sacks and the packing bags which were damaged, lo, these are susceptible to *midras* uncleanness.
  - B The fodder bag [of] four *qabs*, the shepherd's bag [of] five *qabs*, the travelling bag [of] *a seah*, the goatskin of seven *qabs*—
  - C R. Judah says, "Also the spice bag and the food bag [of] any amount [at all]—
  - D lo, these are susceptible to *midras* uncleanness.
  - E But all of them which were damaged are clean, because [if] the primary purpose is annulled, the secondary purpose is annulled.
- **20:2** A A bagpipe is insusceptible to *midras* uncleanness.
  - B A trough for mixing mortar—
  - C The House of Shammai say, "Midras."
  - D And the House of Hillel say, "Corpse uncleanness."
  - E A [wooden] mixing trough from two *logs* and up to nine *qabs* which was split is susceptible to *midras* uncleanness.
  - F [If] one left it in the rain and it swelled, it is susceptible to corpse uncleanness.
  - G [If one left it out] in the east wind, and it was split, it receives *midras*.
  - H This [rule] is more strict concerning the remnants of wooden utensils than concerning [them in] their original state.
  - I And more strict [is the rule] in respect to remnants of utensils made from twigs than in respect to [them in] their original condition,
  - J for in their original condition they do not receive uncleanness until they have been sealed.
  - K [Once] they have been sealed, even though their lips have fallen away, to any degree at all, they [still] are unclean.
- **20:3** A A staff which one made into a heft for an ax is a connector for uncleanness at the time of use.
  - B The [metal] yarn winder is a connector [to its wooden handle] for uncleanness at the time of use.
  - C [If] one affixed it [the yarn winder] onto a post, it [the yarn winder] is unclean, but it [the post] is not connected to it [the yarn winder].
  - D [If] one made a yarn winder on it [a post], unclean [on the post] is only that part [of the post] which is needed [by the yarn winder].
  - E A chair which one attached onto the post is [still] unclean, and it [the post] is not a connector to it.
  - F [If] one made a chair on it [the post], unclean [on the post] is only its place [for sitting].
  - G [If] one affixed it [the chair] onto the beam in an olive press, it [the chair] is unclean, and it [the beam] is not a connector to it [the chair].
  - H [If] one made a chair on it [the beam's] head, it [the chair] is clean, because they say to him, "Stand up and let us do our work."
- **20:4** A A large trough which was so damaged that it could not hold pomegranates, and which one adapted for sitting—
  - B R. Aqiba declares unclean.
  - C And sages declare clean,
  - D until one will smooth [the rough parts].
  - E [If] one made it a feeding trough for cattle, even though one has affixed it to the wall, it is unclean.

- **20:5** A A wooden block which was fixed to a course of a wall—
  - B [if] one fixed it but did not build on it, [or] built on it but did not fix it, it is unclean.
  - C [If] one fixed it and built on it, it is clean.
  - D Matting which one placed on top of the roof-beams—
  - E [if] one fixed it and did not put the plaster on it, [or] put the plaster on it and did not fix it, it is unclean.
  - F [If] one fixed it and put the plaster on it, it is clean.
  - G A dish which one fixed onto a chest, box, or cupboard,
  - H [if it was affixed] according to the way of its receiving [something], it is unclean. [If it was affixed] not according to the way of its receiving [something], it is clean.
- **20:6** A A sheet susceptible to uncleanness with *midras* uncleanness and which one made into a curtain is insusceptible to *midras* uncleanness but susceptible to uncleanness from corpse uncleanness.
  - B From what time is its purification'
  - C The House of Shammai say, "When one will have sewed [it]."
  - D And the House of Hillel say, "When one will have tied it up."
  - E R. Aqiba says, "When one will have fixed it."
- **20:7** A A piece of matting [of straw] on which one laid reeds lengthwise is clean.
  - B And sages say, "Until one will have made it like a *chi*."
  - C [If] one made [laid] them breadthwise, and there is not between one reed and the next so much as four handbreadths, it is clean.
  - D [If] it was divided breadthwise—
  - E R. Judah declares clean.
  - F And so he who loosens the tops of the end knots [of a reed mat]—it is clean.
  - G [If] it was divided lengthwise, and there remained on it three end knots of six handbreadths, it is unclean.
  - H A reed mat—from what time does it receive uncleanness?
  - I When it will have been trimmed, and that is the completion of its manufacture.
- **21:1** A He who touches (1) the upper beam [of a loom], (2) the lower beam, (3) the heddles, (4) the sley, and (5) the thread which one passed over fine purple, and (6) the spool which is not going to be returned [to the web] is clean.
  - B [He who touches] (1) the shedded weft, and (2) the standing warp, and (3) the double thread that is passed over the fine purple, and (4) the spool which is going to be returned [to the web] is unclean.
  - C He who touches the wool which is on the distaff [or which is] on the spool is clean.
  - D He who touches the spinner, before one has laid it bare is unclean. [If he touches it] after one has laid it bare, [he] is clean.
- **21:2** A He who touches (1) the yoke [of the wagon], and (2) the crossbar, and (3) the eye [collar piece], and (4) the thick ropes [yokes of the plough], even when [it is] in use, is clean.
  - B [He who touches] the tailpiece, and (2) the knee, and (3) the handle [of the plough] is unclean.
  - C [He who touches] (1) the eye of metal, and (2) the cheek pieces, and (3) the plough flanks is unclean.

- D R. Judah declares clean in the case of the cheek pieces [plough guides], for they are made only to increase the soil.
- **21:3** A He who touches the handle of the saw from either side is unclean.
  - B [He who touches] (1) the string, (2) cord, (3) the crosspiece, and (4) the side pieces, (5) the vise of the carpenter, and (6) the bow handle of a drill is clean.
    - C R. Judah says, "Also: he who touches the frame of the large saw is clean."
  - D He who touches (1) the bowstrings, and (2) the bow, even though it is stretched, is clean.
  - E The mote trap is clean.
  - F R. Judah says, "So long as it is stretched out [set], it is a connector."
- **22:1** A The table and the side table (1) which were damaged or (2) which one covered with marble and on which one left
  - B a place for placing the cups
  - C are unclean.
  - D R. Judah says, "A place for leaving pieces."
- **22:2** A The table, one of the legs of which was removed, is clean. [If] a second is removed, it is clean. [If] the third is removed, it is unclean,
  - B when one will give it thought.
  - C R. Yose says, "It does not require thought."
  - D A bench one of whose ends has been removed is clean. [If] the second is removed, it [also] is clean.
  - E If it is a handbreadth high, it is unclean.
  - F A footstool one of whose ends was removed is unclean, and so the stool in front of a throne.
- 22:3 A A chair of the bride of which the seat boards [or: coverings] have been removed—
  - B The House of Shammai declare unclean.
  - C And the House of Hillel declare clean.
  - D Shammai says, "Also the frame of the chair is unclean."
  - E A chair which one affixed onto a trough—
  - F The House of Shammai declare [the chair] unclean.
  - G And the House of Hillel declare [it] clean.
  - H Shammai says, "Even that which is made inside it."
- **22:4** A A stool the seat boards of which did not extend [outwards] and [whose boards] were removed is [still] unclean.
  - B For so is its custom to tip it on its side and sit on it.
- **22:5** A A chair the middle seat board of which has been removed and the outer ones of which remain is unclean.
  - B [If] the outer ones have been removed and the middle one remains, it is unclean.
  - C R. Simeon says, "If it was a handbreadth wide."
- **22:6** A A chair two of whose seat boards, one beside the next, have been removed—

- B R. Aqiba declares unclean.
- C And sages declare clean.
- D Said R. Judah, "Also a chair of the bride whose seat boards have been removed, and in which there remains a receptacle [underneath the seat], is clean, for [if] the primary purpose has been annulled, the secondary purpose has been annulled."
- **22:7** A A chest the top [cover] of which has been removed is unclean because of the bottom [cover]. [If] the bottom [cover] has been removed, it is unclean because of the top [cover].
  - B [If] the top and the bottom [covers] have been removed—
  - C R. Judah declares unclean because of the sides.
  - D And sages declare clean.
  - E The seat of the stone cutter is susceptible to *midras* uncleanness.
- 22:8 A A wooden block which was colored red or yellow or was polished—
  - B R. Aqiba declares unclean.
  - C And sages declare clean, until one will make a hollow on it.
  - D The small basket and the large basket which one filled with straw or flocking and made into a seat are clean.
  - E [If] one plaited them over with reed grass or with a cord, they are unclean.

**22:9** A A toilet is susceptible to *midras* uncleanness and to corpse uncleanness.

- B [If] it was separated, the leather is susceptible to *midras* uncleanness, and the iron to corpse uncleanness.
- C The tripod stool whose seat cover is of leather is susceptible to *midras* uncleanness and corpse uncleanness.
- D [If] it was taken apart, the leather [cover] is susceptible to *midras* uncleanness, and the tripod is clean of all.
- E A chair which is in the bathhouse the two legs of which are of wood is unclean. [If] one is of wood and one of stone, it is clean.
- F The boards which are in the bathhouse which one joined together—
- G R. Aqiba declares unclean.
- H And sages declare clean,
- I for they are used only to let the water flow beneath them.
- J A fumigation cage which has in it a receptacle for garments is unclean.
- K That which is made like a hive is clean.
- 23:1 A The ball, the shoe last, the amulet, and the phylacteries, which were torn—
  - B he who touches them is unclean.
  - C [But he who touches] that which is in them is clean.
  - D The saddle which was torn—
  - E he who touches what is in it is unclean, because the stitching connects it [the cover to the stuffing].
- **23:2** A These are susceptible to [*midras*] uncleanness on account of [being things used for] riding:
  - B (1) The Askelon girth, (2) the Median mortar, (3) the packsaddle of the camel, and (4) the horse cloth.
  - C R. Yose says, "(5) The cloth of the horse is also susceptible to [*midras*] uncleanness as a thing used for sitting, because they stand on it in the arena.

	D	"But the saddle of a female camel is susceptible to uncleanness."
23:3	А	What is the difference [in the uncleanness of] that which is ridden upon from [the uncleanness of] that which is sat upon?
	В	[In] that which is ridden upon, one distinguished touching it from carrying it.
23:4	A B	And in that which is sat upon, one did not distinguish touching it from carrying it. The pack frame of the ass on which one sits is clean. [If] one changes [the width between] the spaces, or broke them into one another, it is unclean.
23:5	А	The bed, the mattress, and the pillow of the corpse, lo, these are susceptible to <i>midras</i> uncleanness.
	В	The chair of the bride and the midwife's travailing stool, and the chair of the laundryman, on which he piles the utensils [clothes]—
	С	Said R. Yose, "In regard to these there is no susceptibility on account of what is sat upon."
23:6	A B	The fishnet is unclean because of its network bag [woven work]. (1) The nets, (2) snares, (3) the bird traps, (4) the slings, and (5) the [fishermen's] dam
	С	snares are susceptible to uncleanness [as utensils]. And the (1) fish trap, (2) and the bird basket, (3) and the birdcage are clean.
24:1	А	There are three [kinds of] shield:
	В	The bent shield is susceptible to <i>midras</i> uncleanness.
	Ċ	And that with which they play in the field is susceptible to corpse uncleanness.
	D	And the toy-shield of the Arabs is clean of all [uncleanness].
24:2	А	There are three [kinds of] wagons:
	B	That which is made like a throne is susceptible to <i>midras</i> uncleanness.
	C	[That which is made] like a bed is susceptible to corpse uncleanness.
	D	[And that which is made for the moving] of stones is clean of all.
24:3	А	There are three [kinds of] troughs:
	В	The trough [which holds] from two <i>logs</i> to nine <i>qabs</i> which split is susceptible to <i>midras</i> uncleanness.
	С	[That which is] whole is susceptible to corpse uncleanness.
	D	That which holds the prescribed measure is clean of all.
24:4	А	There are three [kinds of] boxes:
	В	A box whose opening is on its side is susceptible to <i>midras</i> uncleanness.
	C	That whose opening is on top is susceptible to corpse uncleanness.
	D	That which holds the prescribed measure is clean of all.
24:5	А	There are three [kinds of leather] covers:
	В	That of the barbers is susceptible to <i>midras</i> uncleanness.
	С	That on which they eat is susceptible to corpse uncleanness.
	D	And of olives is clean of all.

- **24:6** A There are three [kinds of] bases:
  - B (1) That which is before the bed and (2) that which is before the scribes is susceptible to *midras* uncleanness.
  - C And that of the side table is susceptible to corpse uncleanness.
  - D And that of the cupboard is clean of all.
- **24:7** A There are three kinds of writing tablets:
  - B The papyrus is susceptible to *midras* uncleanness.
  - C And that which has a receptacle for wax is susceptible to corpse uncleanness.
  - D And a smooth one is clean of all.
- **24:8** A There are three kinds of bed:
  - B That which is used for lying is susceptible to *midras* uncleanness.
  - C That of the glass cutters is susceptible to corpse uncleanness.
  - D And that of the harness makers is clean of all.
- **24:9** A There are three [kinds of] baskets:
  - B That of dung is susceptible to *midras* uncleanness.
  - C That of straw is susceptible to corpse uncleanness.
  - D And the rope bag of the camels is clean of all.
- **24:10** A There are three kinds of mats:
  - B That which is used for sitting is susceptible to *midras* uncleanness.
  - C That of the dyers is susceptible to corpse uncleanness.
  - D And that of the winepresses is clean of all.
- **24:11** A There are three [kinds of] goatskins and three kinds of shepherd's wallets:
  - B Those which hold the prescribed quantity are susceptible to *midras* uncleanness.
    - C And those which do not hold the prescribed quantity are susceptible to corpse uncleanness.
    - D And [that which is made of] the skin of the fish is clean of all.
- **24:12** A There are three [kinds of] hide:
  - B That which is used for a rug is susceptible to *midras* uncleanness.
  - C [That which is used] for a wrapper for the utensils is susceptible to corpse uncleanness.
  - D And that of straps of sandals is clean of all.
- **24:13** A There are three [kinds of] sheets:
  - B That which is used for lying is susceptible to *midras* uncleanness.
  - C [And that which is used] for a curtain is susceptible to corpse uncleanness.
  - D And [that which is used] for images is clean of all.
- **24:14** A There are three [kinds of] napkins:
  - B That of the hands is susceptible to *midras* uncleanness.
  - C That of books is susceptible to corpse uncleanness.
  - D And that of a wrapper and of the harps of the sons of Levi is clean of all.
- **24:15** A There are three [kinds of] leather gloves.

- B That of hunters of beast and bird is susceptible to *midras* uncleanness.
- C That of the locust catchers is susceptible to corpse uncleanness.
- D And that of the fruitpickers is clean of all.
- **24:16** A There are three kinds of head net:
  - B That of a girl is susceptible to *midras* uncleanness.
  - C And that of the old lady is susceptible to corpse uncleanness.
  - D And that of the whore is clean of all.
- **24:17** A There are three kinds of store baskets:
  - B A worn-out basket which one patched to a sound one—
  - C they follow the [status in respect to uncleanness] of the sound one.
  - D A small one [patched] on to the large one—
  - E they follow the large one.
  - F [If] they were equal, they follow the inner one.
  - G R. Simeon says, "The cup of a balance which one patched on to the bottom of the cauldron—
  - H "[if it was patched] on the inside, [the cauldron plus the cup] is unclean.
  - I "If on the outside, it is clean.
  - J "[If] one patched it on to its side,
  - K "whether inside or outside, it is clean."
- **25:1** A All utensils have outsides and an inside.
  - B "For example, the mattresses, and the pillows, and the sacks, and the packing bags," the words of R. Judah.
  - C And R. Meir says, "Whatever has hems has outer parts and an inner part. And whatever does not have hems does not have outer parts and an inner part."
  - D "The table and the side table have outer parts and an inner part," the words of R. Judah.
  - E R. Meir says, "They have no outer parts."
  - F And so a tray which has no rim.
- **25:2** A The ox goad has outer parts and an inner part: "From seven handbreadths to the broad blade, from four handbreadths to the point," the words of R. Judah.
  - B R. Meir says, "They do not have [outer and inner parts]. *Four* and *seven* were mentioned only in regard to the remnants."
- **25:3** A "Measures of wine and oil, a soup ladle, the mustard strainer, and the wine filter have outer parts and an inner part," the words of R. Meir.
  - B R. Judah says, "They do not have."
  - C R. Simeon says, "They do have.
  - D "[If] they were made unclean on their outer parts, what is in their inner part is clean.
  - E "And one has to immerse [the whole vessel]."
- **25:4** A The quarter and the half-quarter-
  - B [if] the quarter is made unclean, the half-quarter is not made unclean.
    - [If] the half-quarter is made unclean, the quarter is not made unclean.

- C They said before R. Aqiba, "Since the half-quarter is the outer part for the quarter, if the inside of a utensil is made unclean, are not the outer parts made unclean?"
- D He said to them, "Is this of the class of those that take precedence?
- E "Or perhaps the quarter [forms] the outer sides for the half-quarter.
- F "[Therefore] a utensil whose outer parts are made unclean—its inner part is not made unclean."
- **25:5** A [If] the quarter [*-log* measure] is made unclean, the quarter and its outer parts are unclean, the half-quarter and its outer parts are clean.
  - B If the half-quarter is made unclean, the half-quarter and its outer parts are unclean; the quarter and its outer parts are clean.
  - C "If the outer parts of the quarter are made unclean, the outer parts of the half-quarter are clean," the words of R. Meir.
  - D And sages say, "They do not divide the hind parts [of the utensil].
  - E "And when one immerses [it], he immerses the entire utensil."
- **25:6** A Bases of utensils, and their rims, and their hangers, and the handles of utensils which hold [something = which have a receptacle], on which fell [unclean] liquids—
  - B one dries them, and they are clean.
  - C And [as to] all other utensils, (1) which cannot hold pomegranates, (2) which do not have outer parts and an inside, on [one] part of which [unclean] liquids have fallen—the whole is unclean.
  - D A utensil, the outer parts of which have been made unclean with liquids the outer parts are unclean.
  - E Its inside, its rims, hangers, and handles are clean.
  - F [If] its inside is made unclean, the whole is unclean.
- **25:7** A All utensils have outer parts and an inner part, and they [further] have a part by which they are held.
  - B R. Tarfon says, "[This distinction in the outer parts applies only] to a large wooden trough."
  - C R. Aqiba says, "To cups."
  - D R. Meir says, "To the unclean and the clean hands."
  - E Said R. Yose, "They have spoken only concerning clean hands alone.
  - F "How so?
  - G "[If] one's hands were clean, and the outer parts of the cup were unclean, [and] one took [the cup] with its holding part, he need not worry lest his hands be made unclean on the outer parts of the cup."
  - H [If] one was drinking from a cup, the outer parts of which are unclean, one does not worry lest the liquid which is in his mouth be made unclean on the outer parts of the cup and go and render the [whole] cup unclean.
  - I A kettle [unclean on the outside] which is boiling—one does not worry lest the liquids go forth from it and touch its outer parts and go back to the inside [and make it unclean].
- **25:8** A Holy vessels do not have outsides and an inside, and they do not have a holding place.
  - B And they do not immerse utensils inside utensils for holy things.

- C All the utensils descend into the power of their uncleanness with thought but do not ascend from the power of their uncleanness except by an act which changes them.
- D For the act cancels both an act and intention, but intention does not cancel either an act or intention.
- 26:1 A An Imqy sandal, and a laced-up bag—
  - B R. Judah says, "Also an Egyptian basket"—
  - C Rabban Simeon b. Gamaliel says, "Also a Laodicean sandal is like them"—
  - D lo, these are made unclean and are made clean without the craftsman.
  - E Said R. Yose, "And is it not so that all the utensils are made unclean and are made clean without the craftsman?
  - F "But these, even though they are unlaced are unclean. For the ordinary person can restore them.
  - G "They spoke only of the Egyptian basket, for even the craftsman cannot restore it."
- **26:2** A A laced-up bag of which the laces have been removed is unclean.
  - B [If] it is made flat, it is clean.
  - C [If] one patched on it the patch on the bottom, it is unclean.
  - D A bag within a bag, one of which became unclean with [unclean] liquid—the other has not been made unclean.
  - E A pouch for the pearl is unclean.
  - F A pouch for the coins—
  - G R. Eliezer declares unclean.
  - H And sages declare clean.
- **26:3** A The glove of thorn pickers is clean.
  - B The girdle and leg guards are unclean.
  - C And leather sleeves are unclean.
  - D And the leather gloves are clean.
  - E And all finger holes are clean,
  - F except for that of the fruit pickers, because it holds the sumac berries.
  - G [When] it is torn, if it does not hold the greater part of the sumac berry, it is clean.
- **26:4** A A sandal, one of the straps of which was torn, and which one repaired, is subject to *midras* uncleanness.
  - B [If] the second was torn, and one repaired it, it is clean of *midras* uncleanness but subject to the uncleanness imparted by contact with *midras* uncleanness.
  - C [If] one did not complete repairing the first before the second was torn, it [the sandal] is clean.
  - D [If] its heel was torn, [if] its toe piece was removed, or [if] it was divided into two, it [the sandal] is clean.
  - E A heelless slipper which was torn in any way is clean.
  - F A shoe which was damaged, if it does not hold the larger part of the foot, is clean.
  - G A shoe which is on the last—
  - H R. Eliezer declares clean.
  - I And sages declare unclean.
  - J All tied—up goatskins are clean,
  - K except for those of the Arabs.

- L R. Meir says, "[If they are] tied up for a time, they are clean. [If] they are tied up permanently, they are unclean."
- M R. Yose says, "All goatskins which have been tied up are clean."
- 26:5 A These are the [flat] hides susceptible to *midras* uncleanness:
  - B (1) A hide which one intended to use as a rug, (2) a hide of a tanner, (3) a hide used as the lower covering of a bed, (4) a hide of an ass and an ass driver, (5) a hide of the flax worker, (6) a hide of the porter, (7) a hide of the physician, (8) a hide of the crib, (9) a hide of the heart of an infant, (10) a hide of the mattress, (11) a hide of the pillow—
  - C *midras*.
  - D A hide of the combed wool and a hide of the wool comber—
  - E R. Eliezer says, "Midras."
  - F And sages say, "Corpse uncleanness."
- **26:6** A A leather bag for garments and a wrapper for garments—*midras*.
  - B A leather bag for purple and a wrapper for purple—
  - C The House of Shammai say, "Midras."
  - D And the House of Hillel say, "Corpse uncleanness."
  - E A leather hide which one made into a cover for utensils is clean; [one] for measures is unclean.
  - F R. Yose declares clean,
  - G in the name of his father.
- **26:7** A [In] any situation [involving leather] in which no [part of the] work is lacking, intention renders unclean.
  - B And in any situation in which there is work lacking, intention does not render unclean,
  - C but the fur skin.
- **26:8** A The hides of the householders— intention makes them susceptible to uncleanness.
  - B And of the tanner—intention does not make them susceptible to uncleanness.
  - C Of the [ = stolen by] thief—intention makes them susceptible to uncleanness.
  - D And of the [stolen by] robber—intention does not make them susceptible to uncleanness.
  - E R. Simeon says, "Matters are reversed:
  - F "[Hides] of the robber—intention makes them susceptible to uncleanness.
  - G "And of the thief—intention does not make them susceptible to uncleanness."
- **26:9** A A hide which is unclean with *midras* uncleanness and which one intended [to use] for straps for sandals—
  - B "Once one has placed the knife on it, it is clean," the words of R. Judah.
  - C And sages say, "Until one will diminish it [to] less than five handbreadths, [it is still unclean]."
  - D R. Eleazar b. R. Sadoq says, "Even one who makes a napkin from the hide [just now mentioned]—it [the hide] is unclean. But [if one uses leather] from the pillows [for the napkin]—it becomes clean."
- 27:1 A The cloth [of wool or linen] is susceptible to uncleanness on account of five categories;
  - B the sacking because of four;
  - C the leather because of three;

- D the wood [also bone and metal] because of two;
- E and a clay utensil because of one.
- F A clay utensil is susceptible to uncleanness because of [being] a vessel with a receptacle, [whatever the size of the receptacle]. [But it is not susceptible to *midras* uncleanness.]
- G Any [object] which has no inside among clay utensils has no outer parts [M. 2:3, 17:15; Sifra Shemini 7:4].
- H Added to that is the wood[en object], which is susceptible to uncleanness on account of [being] something which is sat upon, [= *midras* uncleanness attaching to something used for sitting, if it is a one square handbreadth in size, the minimum for a seat].
- I And so a tray which has no rim:
- J among wooden utensils is unclean [= M. 25:1]
- K and among clay utensils is clean.
- L Added to that is the leather [hide], which [even when fixed to the ground] is susceptible to uncleanness on account of tents. [Unlike clay and wood, if leather is suspended over a corpse, and if it is a square handbreadth, it is unclean =M. Oh. 3:7, 16:1; b. Shab. 27b, y. Shab. 2:3, 7:2].
- M Added to that is the sacking, which is subject to uncleanness on account of [being] something which is woven [since it constitutes a utensil unto itself] [b. Shab. 63b–64a].
- N Added to that is the [wool or linen] cloth, which is subject to uncleanness on account of [being] three-by-three [fingerbreadths square] a very small size; the others at that size are clean] [y. Shab. 10:6].
- 27:2 A The cloth [of wool or flax] is subject to uncleanness on account of being three-by-three [handbreadths square]—for *midras* uncleanness. [Less than this is not suitable for sitting, b. Shab. 26a. But 27:4holds otherwise.]
  - B And on account of being something three-by-three [fingerbreadths square] for corpse uncleanness.
  - C The sacking—four-by-four [handbreadths],
  - D the leather [hide]—five-by-five [handbreadths],
  - E a mat—six-by-six [handbreadths] are equivalent for *midras* and for corpse uncleanness. [That is, we do not distinguish, as with cloth, between square hand breadths for *midras* uncleanness, and the much smaller square fingerbreadths for corpse uncleanness.]
  - F R. Meir says, "The sacking—its remnants are four [handbreadths], and its beginning [is] when it will have been completed [= 25:2]."
- 27:3 A He who makes two [handbreadths] from cloth and one from sacking.
  - B three from sacking and one from leather, four from leather and one from matting,
  - C —it [the resulting material] is clean [of *midras*].
  - D Five from sacking and one from leather, four from leather and one from sacking, three from sacking and one from cloth,
  - E —it is unclean.
  - F This is the general rule: Anything to which one attached [a fabric] from [a category which is] more stringent than itself [= that which is susceptible in a smaller size than the foregoing (Rosh)] is unclean.
  - G And [anything to which one attached a fabric] from that which is in a category more lenient than itself [= that which is susceptible in a larger size than the foregoing] is clean.
- **27:4** A He who cuts off from any of them the items of 27:1–2 which are susceptible to *midras*] a square handbreadth [that is, the minimum fabric used for

sitting]—

- B it [the patch which is cut off] is unclean [*midras*].
- C [He who cuts off] from the bottom of the basket a square handbreadth
- D it [the patch which is cut off] is unclean [*midras*].
- E From the sides of the basket—
- F R. Simeon declares clean, [for the sides are useless for sitting].
- G And sages say, "He who cuts off a square handbreadth in any place—it is unclean."

## 27:5 A Worn-out [leather] pieces of a sifter or a sieve which one adapted for sitting—

- B R. Aqiba declares unclean [midras].
- C And sages declare clean,
- D until one will have cut off [the rough ends (M. 20:4)].
- E A stool of a child which has legs, even though it is not a handbreadth high[M. 22:3], is unclean. [Without legs, the seat is insusceptible.]
- F A shirt of a child—
- G R. Eliezer says, "Any size" [is susceptible, presumably to *midras*, as in the chapter as a whole].
- H And sages say, "Until there will be in it in accord with the required measurement [= for uncleanness],
- I "and it is measured doubled up."
- **27:6** A These are measured double [to reach the measurement required either for *midras* or for other uncleanness]:
  - B (1) socks, and (2) long stockings and (3) trousers, and (4) a hat, and (5) a money belt.
  - C And [as to] a patch which one patched on to the lip [hem]:
  - D if it is flat [undoubled] [= sewn on to one side of the hem only], it is measured flat;
  - E and if doubled it is measured doubled.
- 27:7 A These are measured double:
  - B (1) socks, (2) long stockings, (3) trousers, (4) a hat, and (5) a money belt.
  - C And [as to] a patch which one patched on to the hem:
  - D if it is flat, it is measured flat;
  - E and if doubled, it is measured doubled.
- 27:8 A The cloth (on) which one wove three-by-three [square handbreadths],
  - B and which contracted *midras* uncleanness,
  - C and on which one finished the whole [piece of] cloth,
  - D and from the first part of which one afterward removed one thread,
  - E becomes clean from *midras* uncleanness but remains unclean with the uncleanness imparted by contact with *midras* uncleanness.
  - F [If] one took one thread from its first part and afterward finished the whole piece of cloth, it is unclean from the uncleanness imparted by contact with *midras* uncleanness.
- 27:9 A And so too a cloth which one wove three [fingerbreadths] square,
  - B and which became unclean with corpse uncleanness,
  - C and on which one then completed the entire cloth,
  - D and from the beginning of which one afterward removed one thread,

- E is clean from corpse uncleanness, but unclean with the uncleanness imparted by contact with corpse uncleanness.
- F [If] one removed one thread from the first part and afterward wove the entire cloth [on it], it is clean.
- G For they have stated, "[A cloth] three-by-three [fingerbreadths square] which has been diminished is clean.
- H "But [a cloth] three-by-three [handbreadths square] which has been diminished, though it is clean from *midras* uncleanness, is susceptible to uncleanness from all [other] sources of uncleanness."
- 27:10 A A sheet which was unclean with *midras* uncleanness and which one made into a curtain is clean from *midras* uncleanness but is susceptible to the uncleanness imparted by contact with *midras* uncleanness.
  - B Said R. Yose, (1) "And with what *midras* has this [sheet] come into contact? (2) But only if a *Zab* has touched it is it unclean, on account of contact with the *Zab*."
- **27:11** A Three-by-three which was divided is clean from *midras* uncleanness but is unclean from the contact with *midras* uncleanness.
  - B Said R. Yose, (1) "And with what *midras* did this have contact? (2) But only if a *Zab* has touched it is it unclean, on account of contact with the *Zab*."
- 27:12 A [A piece of cloth] three-by-three [handbreadths]—
  - B [if found] on the rubbish heap—[if it is] sound and capable of wrapping up salt.
  - C In the house—either sound or capable of wrapping up salt.
  - D How much salt should it be able to wrap up?
  - E A quarter-(*qab*).
  - F R. Judah says, "Fine salt."
  - G And sages say, "Coarse."
  - H These and those intend to grant the lenient ruling.
  - I R. Simeon says, "Equal are [the rules applying to] three-by-three [handbreadths of cloth found] on the rubbish-heap and [those applying to] three-by-three [fingerbreadths of cloth found] in the house."
- 27:13 A [A piece of cloth] three-by-three [handbreadths] which was torn, if one put it on the chair and his flesh touches the chair, is clean.
  - B And if not, it is unclean.
  - C [A piece of cloth] three-by-three [fingerbreadths] from which one thread wore away,
  - D or on which was found a knot,
  - E or two threads running alongside each other,
  - F is clean.
  - G [A piece of cloth] three-by-three [fingerbreadths] which one threw into the rubbish heap is clean.
  - H [If] one took it back, it is unclean.
  - I Always does throwing it out purify it and recovering it render it unclean,
  - J except for [cloth] of purple or of good crimson.
  - K R. Eliezer says, "Also a new patch is like them."
  - L R. Simeon says, "They are all clean. These [items] were mentioned only because of returning lost property."

- **28:1** A [A piece of cloth] three-by-three [fingerbreadths] which was placed in a ball, or which one made into a ball by itself, is [wholly] clean.
  - B But [a piece of cloth] three-by-three [handbreadths] which was placed in the ball is unclean.
  - C [If] one made it into a ball by itself, it is clean, because the sewing diminishes it.
- **28:2** A [A piece of cloth] less than three-by-three [handbreadths] which one used (1) to stop up [a hole in] the bathhouse, (2) to empty out a cooking pot, [or] (3) to wipe off the millstones—
  - B "Whether kept in readiness or not kept in readiness, it is unclean," the words of R. Eliezer.
  - C R. Joshua says, "Whether kept in readiness or not kept in readiness, it is clean."
  - D R. Aqiba says, "That which is kept in readiness is unclean, and that which is not kept in readiness is clean."
- **28:3** A He who makes a plaster, whether with cloth or with leather— it is clean.
  - (B R. Yose says, "With leather, it is clean.")
  - C A poultice [made] with cloth is clean, and [one made] with leather is unclean.
  - D Rabban Simeon b. Gamaliel says, "Also that made with cloth is unclean, because it can be shaken off."
- **28:4** A "Wrappers of scrolls, whether figures are portrayed on them or whether figures are not portrayed on them, are unclean," the words of the House of Shammai.
  - B The House of Hillel say, "Those on which figures are portrayed are clean, and those on which figures are not portrayed are unclean."
  - C Rabban Gamaliel says, "Both these and those are clean."
- **28:5** A A head wrap which is unclean with *midras* uncleanness and which one put on the scroll is clean from *midras* uncleanness, but is unclean with corpse uncleanness.
  - B A waterskin which one made into a rug, and a rug which one made into a waterskin— [either one] is clean.
  - C (1) A waterskin which one made into a shepherd's bag, and a shepherd's bag which one made into a waterskin, (2) a mattress which one made into a sheet, and a sheet which one made into a mattress, (3) a bolster which one made into a napkin, and a napkin which one made into a bolster—[any of these] is unclean.
  - D This is the general rule: Anything which one changed for [something] in its own category is unclean, and for [something in] another category is clean.
- **28:6** A A patch [three handbreadths square] which one patched on to the basket renders unclean at a first remove and renders unfit at one.
  - B [If] one removed it from the basket, the basket renders unclean at one remove and renders unfit at one, and the patch is clean.
  - C [If] one patched it onto the cloth, it [the cloth] renders unclean at two removes and renders [heave offering] unfit at one.
  - D [If] one separated it from the cloth, the cloth renders unclean at one remove and renders unfit at one remove, and the patch renders unclean at two removes and renders unfit at one [further] remove.
  - E "And so [is the rule for him] who affixes [it] on the sacking or on the leather," the words of R. Meir.
  - F R. Simeon declares unclean.

- G R. Yose says, "On the leather, it is clean, and on the sacking, it is unclean, because it is woven."
- **28:7** A "Three-by-three [fingerbreadths] concerning which they spoke
  - B "is exclusive of the hem," the words of R. Simeon.
    - C And sages say, "Three-by-three [fingerbreadths] exactly."
    - D If one patched it by one [of its four] sides, it is not a connector.
    - E From two sides, this opposite that, it is a connector.
    - F If one made it like a *gamma*—
    - G R. Aqiba declares unclean.
    - H And sages declare clean.
    - I Said R. Judah, "Under what circumstances? In connection with a cloak.
    - J "But in respect to a shirt, [if it is sewn on] from above, it is a connector. [If sewn on] from below, it is not a connector."
- **28:8** A The cloths of the poor, even though there is not on them three-by-three [fingerbreadths], lo, these are susceptible to *midras* uncleanness.
  - B A cloak which one began to tear, once one has torn the greater part, is not connected.
  - C The thick or the thin [cloths] are not subject to the rule of three-by-three [fingerbreadths].
- **28:9** A The pad of the porters is susceptible to *midras* uncleanness.
  - B The strainer for wine is not susceptible to *moshab*.
  - C The hairnet of the old woman is susceptible to *moshab*.
  - D A shirt of whores
  - E which is made like a net is clean.
  - F He who makes a cloth from the fishing net—it is clean.
  - G And from its network bag—it is unclean.
  - H R. Eliezer b. Jacob says, "Also he who makes a cloth from the fishing net and doubled it up—it is unclean."
- **28:10** A A hairnet which one began from the hem is clean until one will have finished its bottom part.
  - B [If] one began from its bottom part, it is clean until one will have finished its hem.
  - C Its headband is unclean by itself.
  - D Its strings are unclean because of [being a] connector.
  - E A hairnet which was torn, if it does not hold the larger part of the hair [of one's head], is clean.
- **29:1** A (1) The fringes of a sheet, and (2) the neckcloths, and (3) the head wraps, and (4) the [felt] cap of the head
  - B —six fingerbreadths [of the aforementioned serve as connectors.
  - C And those [fringes] of the undergarment—ten [fingerbreadths].
  - D The (1) fringes of a thick cloak, and (2) the veil, and (3) the shirt, and (4) the cloak—three fingerbreadths.
  - E The (1) fringes of the head cloth of the old lady, and (2) the mouth wrap of the Arabs, and (3) the Cilician goat hair cloth, and (4) the money belt, and (5) the turban, and (6) the curtain—
  - F their threads—any length.

- **29:2** A (1) Three woolen cushions, (2) six of linen, (3) three sheets, (4) twelve napkins, (5) two arm cloths, (6) one shirt, (7) one cloak, (8) one winter cloak [are regarded as] connected for uncleanness and for sprinkling.
  - B More than this [are] connected for uncleanness but not connected for sprinkling.
  - C R. Yose says, "Also not for uncleanness."
- **29:3** A The cord of [an ordinary] plummet—twelve [handbreadths].
  - B Of the carpenters—eighteen [handbreadths].
    - C Of the builders—fifty cubits.
    - D More than this, [even if] a person wanted to keep it so, is clean.
    - E Of the plasterers and of the moulders—any length [is regarded as a connector].
- **29:4** A The cord [that serves] the balances of goldsmiths or dealers in fine purple—three fingerbreadths.
  - B The handle of the ax from its back part—three fingerbreadths.
  - C R. Yose says, "A handbreadth is clean."
- **29:5** A The cord of the scales of the storekeepers and [or] of householders —a handbreadth.
  - B A handle of the ax at its front—a handbreadth.
  - C The projection of the shaft of a pair of compasses—a handbreadth.
  - D The shaft of a stonemason's chisel—a handbreadth.
- **29:6** A A cord of the balances of wool dealers and of glass weighers— two hand breadths.
  - B The shaft of a millstone chisel—two handbreadths.
  - C The battle ax of the legions—two handbreadths.
  - D The goldsmith's hammer—two handbreadths.
  - E And of the carpenters—three handbreadths.
- **29:7** A The remnants [of the shaft] above the point of the ox goad— four handbreadths.
  - B The shaft of a spade—four [handbreadths].
  - C The shaft of a weeding piece—five [handbreadths].
  - D The shaft of a small hammer—five [handbreadths].
  - E And of the hammer—six [handbreadths].
  - F The shaft of the ax used for splitting wood and for digging—six [handbreadths].
  - G And the shaft of a stone trimmer's ax—six [handbreadths].
- **29:8** A The length of the remnants of the [shaft] below the broad blade— seven.
  - B The [length of the remnants] of the shaft of a trowel of householders—
  - C The House of Shammai say, "Seven."
  - D The House of Hillel say, "Eight."
  - E And of the plasterers—
  - F The House of Shammai say, "Nine."
  - G The House of Hillel say, "Ten."
  - H More than this, if one wanted to keep it so, is unclean.
  - I And the shaft of fire implements—of any length at all.
- **30:1** A Glass utensils—

- B in flat form are clean, and when formed into a receptacle are unclean.
- C (1) [If] they are broken, they are clean. (2) If one made [new] utensils from them, they receive uncleanness from now on.
- D The tray and the flat dish of glass are clean.
- E [If] they have a rim, they are unclean.
- F The bottoms of a bowl and the bottoms of a dish of glass which one adapted for use are clean.
- G If one scraped them or filed them with files, they are unclean.
- **30:2** A A mirror is clean, but a tray which one has made into a mirror is unclean.
  - B But if to begin with one made it for use as a mirror, it is clean.
  - C A spoon which one places on the table,
  - D if it contains anything at all, is susceptible to uncleanness.
  - E And if not—
  - F R. Aqiba declares unclean.
  - G R. Yohanan b. Nuri declares clean.
- **30:3** A [glass] cup, the greater part of which broke off, is clean.
  - B [If] it was broken [in] three [places] over its greater part, it is clean.
  - C R. Simeon says, "If it lets leak out the greater part of the water, it is clean."
  - D [If] it is perforated and one repaired it, whether with tin or with pitch, it is clean.
  - E R. Yose says, "[If] with tin, it is susceptible, and if with pitch, it is insusceptible."
- **30:4** A small flask, the neck [mouth] of which was removed, is unclean.
  - B And a large [one], the neck of which was removed, is clean.
  - C [A flask] of spikenard oil, the neck of which was removed, is clean, because it scratches the hand.
  - D Large flagons, the necks of which have been removed, are unclean, because one repairs them [for use] for pickled things.
  - E The mill funnel of glass is clean.
  - F Said R. Yose, "Happy are you, O utensils, for you have come in in uncleanness and gone forth in cleanness."

## OHALOT

- **1:1** A Two are unclean through a corpse. One is unclean with the uncleanness of seven [days], and one is unclean with the uncleanness [that passes at] evening.
  - B Three are unclean through a corpse. Two are unclean with the uncleanness of seven [days], and one is unclean with the uncleanness [that passes at] evening.
  - C Four are unclean through a corpse. Three are unclean with the uncleanness of seven [days], and one is unclean with the uncleanness [that passes at] evening.
  - D How so [for] two?
  - E A man who touches the corpse is unclean with the uncleanness of seven [days], and a man who touches him is unclean with the uncleanness [that passes at] evening.
- **1:2** A How so [for] three?

- B Utensils which touch the corpse and utensils [which touch other] utensils are unclean with the uncleanness of seven [days]. The third, whether man or utensils, is unclean with the uncleanness [that passes at] evening.
- **1:3** A How so [for] four?
  - B Utensils which touch the corpse, and a man [who touches] utensils, and utensils [which touch] man are unclean with the uncleanness of seven [days]. The fourth, whether man or utensils, is unclean with the uncleanness that passes in the evening.
  - C Said R. Aqiba, "I have a fifth, the tent peg which is stuck in the Tent.
  - D "The Tent, the peg, and man which touch the peg, and utensils [which touch] man are unclean with the uncleanness of seven [days]. The fifth, whether man or utensils, is unclean with the uncleanness [that passes at] evening."
  - E They said to him, "The Tent does not come under consideration."
- **1:4** A Man and utensils are made unclean by the corpse. (1) More strict [is the rule concerning] man than [that concerning] utensils, and (2) [more strict is the rule concerning] utensils than that [concerning] man.
  - B For the utensils are three, and the man is two.
  - C More strict is the rule concerning man.
  - D For all the time that he is in the middle, they are four. [And when] he is not in the middle, they are three.
- **1:5** A Man and clothing are made unclean by the *Zab*. More strict [is the rule concerning] man than [that concerning] clothing, and [more strict is] that concerning clothing than that concerning man.
  - B For the man who touches the *Zab* renders clothing unclean, but clothing which touches the *Zab* does not render clothing unclean.
  - C More strict [is the rule concerning] clothing, for the clothing which bears the [weight of the] *Zab* renders man unclean, but the man who bears the [weight of the] *Zab* does not render man unclean.
- **1:6** A Man does not convey uncleanness until his spirit goes forth,
  - B and even with his tendons cut, and even dying.
  - C He binds for levirate marriage or frees from the requirement of levirate marriage; makes it permissible to eat heave offering and makes it impermissible to eat heave offering.
  - D 1. And so cattle and wild animals do not convey uncleanness until their spirit goes forth.
    - 2. [If] their heads were severed, even though they are jerking, they are unclean.
  - E For instance, the tail of the lizard, which jerks.
- **1:7** A The limbs have no limit.
  - B Even less than about an olive's bulk from the corpse, and less than about an olive's bulk from carrion, and less than about a lentil of a creeping thing convey their uncleanness.
- **1:8** A Two hundred forty-eight limbs [are] in man:
  - B thirty in the foot, six in each toe; ten in the ankle; two in the shin; five in the knee; and one in the thigh; three in the hip; eleven ribs; thirty in the hand; six in each finger; two in the forearm; two in the elbow; one in the upper arm; four in the shoulder— one hundred one on one side, one hundred one on the other.

- C Eighteen vertebrae [are] in the spine; nine in the head; eight in the neck; six in the breast; five in the genitals.
- D Each one conveys uncleanness through contact, and through carrying, and through the Tent.
- E When? When there is on them an appropriate amount of flesh. But if there is not on them an appropriate amount of flesh, they convey uncleanness through contact and through carrying but do not convey uncleanness in the Tent.
- 2:1 A These contaminate in the Tent:
  (1) the corpse, and (2) an olive's bulk [of flesh] from the corpse, and (3) an olive's bulk of corpse dregs, and (4) a ladleful of corpse mould;
  (5) the backbone, and the skull, and (6) a limb from the corpse, and (7) a limb from the living person on which is an appropriate amount of flesh;
  B (8) a quarter-*qab* of bones from the larger part of the frame [of the skeleton] or (9) from the
  - B (8) a quarter-*qab* of bones from the larger part of the frame [of the skeleton] or (9) from the larger number; and (10) the larger part of the frame or (11) the larger number of the corpse, even though there is not among them a quarter-*qab*, are unclean.
  - C How much is the "larger number"? One hundred twenty-five.
- **2:2** A (12) A quarter-*log* of blood and (13) a quarter-*log* of mingled blood from a single corpse [render unclean in a Tent].
  - B R. Aqiba says, "From two corpses."
  - C The blood of a minor, all of which has exuded—
  - D R. Aqiba says, "Any amount."
  - E And sages say, "A quarter-log.
  - F An olive's bulk of a worm whether living or dead—
  - G R. Eliezer declares unclean like its flesh.
  - H And sages declare clean.
  - I The ash of burned people—
  - J R. Eliezer says, "Its measure is a quarter-*qab*."
  - K And sages declare clean.
  - L A ladleful and a bit more of grave dirt is unclean.
  - M R. Simeon declares clean.
  - N A ladleful of corpse mould which one kneaded with water is not a connector for uncleanness.
- **2:3** A These contaminate through contact and carrying but do not contaminate in the Tent:
  - B (1) A bone the size of a barleycorn, and (2) dirt from abroad, and (3) [earth from] a grave area;
  - C (4) a limb from the corpse and (5) a limb from a living man which do not have an appropriate amount of flesh;
  - D (6) the backbone and (7) the skull which are lacking.
  - E How much is a [sufficient] lack in the backbone?
  - F The House of Shammai say, "Two links."
  - G And the House of Hillel say, "Even one link."
  - H And in the skull:
  - I The House of Shammai say, "As much as [a hole made by] a drill."
  - J And the House of Hillel say, "So much that it may be taken from a living man and he would die."

- K Of what size of drill did they speak?
- L "Concerning the smallest one of physicians," the words of R. Meir.
- M And sages say, "Concerning the large one of the chamber."
- **2:4** A The rolling stone and the buttressing stone convey uncleanness through contact and Tent but do not render unclean through carrying.
  - B R. Eliezer says, "They render unclean through carrying."
  - C R. Joshua says, "If there is dirt of graves under them, they render unclean through carrying, but if not, they do not render unclean through carrying."
  - D What is the buttressing stone? The one on which the rolling stone is leaned.
  - E But the buttressing stone of buttressing stones is clean.
- **2:5** A These, if they lack [the prescribed quantity], are clean:
  - B (1) An olive's bulk of a corpse, and (2) an olive's bulk of corpse dregs, and (3) a ladleful of corpse mould, and (4) a quarter-*log* of blood, and (5) a bone the size of a barleycorn, and (6) a limb from a living person, the bone of which is lacking.
- **2:6** A (1) The backbone and (2) the skull from two corpses, and (3) a quarter *log* of blood from two corpses, and (4) a quarter-*qab* of bones from two corpses, and (5) a limb from a corpse [taken] from two corpses, and (6) a limb [taken] from a living person from two men—
  - B R. Aqiba declares unclean.
  - C And sages declare clean.
- **2:7** A A bone the size of a barleycorn which was divided into two [parts]
  - B R. Aqiba declares unclean.
  - C And R. Yohanan b. Nuri declares clean.
  - D Said R. Yohanan b. Nuri, "They spoke not of *bones* the size of a barleycorn but a *bone* the size of a barleycorn."
  - E A quarter-*qab* of crushed bones in any one of which there is not a bone the size of a barleycorn—
  - F R. Simeon declares clean.
  - G And sages declare unclean.
  - H A limb from a living person which was divided into two is clean.
  - I R. Yose declares unclean.
  - J And he agrees that if it was taken away by halves, it is clean.
- **3:1** A All things which contaminate in the Tent, which were divided and which one brought into the house—
  - B R. Dosa b. Harkinas declares clean.
  - C And sages declare unclean.
  - D How so?
  - E He who touches two olive's bulks of the carrion or carries them—
  - F And concerning a corpse:
  - G he who touches half an olive's bulk and overshadows half an olive's bulk,
  - H or touches half an olive's bulk, and half an olive's bulk overshadows him,
  - I overshadows two halves of an olive's bulk,
  - J overshadows half an olive's bulk, and half an olive's bulk overshadows him—
  - K R. Dosa b. Harkinas declares clean.

- L And sages declare unclean.
- M But he who touches half an olive's bulk, and something else overshadows him and half an olive's bulk,
- N or overshadows half an olive's bulk and something else overshadows him and half an olive's bulk
- O is clean.
- P Said R. Meir, "Even in this case does R. Dosa b. Harkinas declare clean, and do sages declare unclean."
- Q Every [combination of modes of contamination] is unclean except for contact with carrying, and carrying with the Tent.
- R This is the general rule: Every case [in which contamination is] because of one mode of contamination is unclean; because of two categories is unclean.
- **3:2** A A ladleful of corpse mould which was scattered around the house—
  - B the house is unclean.
  - C And R. Simeon declares clean.
  - D A quarter-*log* of blood which was absorbed in [the ground] of a house—the house is clean.
  - E [If] it was absorbed in clothing—
  - F if it is washed and a quarter-*log* of blood exudes from it, it is unclean; and if not, it is clean.
  - G For whatever is absorbed which cannot exude is clean.
- **3:3** A It was poured out in the open air—
  - B if its place was an incline, and one overshadowed part of it, he is clean.
  - C [If its place] was a cavity, or if it congealed, he is unclean.
  - D [If] it was poured out on the threshold, and it is an incline, whether [sloping] inwards or outwards, and the house overshadowed it, it is clean.
  - E [If] it was a cavity, or [if] it congealed, it is unclean.
  - F Whatever pertains to the corpse is unclean, except for the teeth, the hair, and the nails.
  - G And when connected, everything is unclean.
- **3:4** A How so?
  - B The corpse is outside and his hair is inside—the house is unclean.
  - C A bone on which is an olive's bulk of flesh—
  - D one brought part of it inside, and the house overshadows it—
  - E it is unclean.
  - F Two bones and on them [are] two half olive bulks of flesh—one brought part of them inside, and the house overshadows them—it is unclean.
  - G [If] they were stuck on by the hands of man, it is clean, for the connection effected by man is no connection.
- **3:5** A What is mixed blood?
  - B "The corpse from which an eighth [of a *log*] exuded in life and an eighth in death," the words of R. Aqiba.
  - C R. Ishmael says, "A quarter-*log* in life and quarter-*log* in death."
  - D [If] a quarter-log is taken from this one and from that one—
  - E R. Eleazar b. R. Judah says, "This and that are like water."
  - F What is mixed blood?

- G A crucified person whose blood gushes forth, and under whom is found a quarter-*log* of blood—
- H it [the blood] is unclean.
- I But the corpse the blood of which drips, and under which is found a quarter-log of blood—
- J it is clean.
- K R. Judah says, "Not so, but that which gushes forth is clean, and that which drips out is unclean."
- **3:6** A An olive's bulk of a corpse—its opening is a handbreadth.
  - And the corpse—its opening is four handbreadths.
  - B To afford protection for the [other] openings against uncleanness.
  - C But to give passage for the uncleanness [to go to an adjacent space], an opening of a handbreadth [suffices].
  - D More than a handbreadth is like a corpse.
  - E R. Yose says, "The backbone and the skull are like the corpse."
- **3:7** A A cubic handbreadth introduces the uncleanness and interposes before the uncleanness.
  - B How?
  - C A drain which is arched under the house—
  - D it is a handbreadth wide, and its outlet is a handbreadth wide—
  - E uncleanness is in it—
  - F the house is clean.
  - G Uncleanness is in the house—
  - H what is in it is clean,
  - I for the way of the uncleanness is to exude, and it is not its way to seep in.
  - J It is a handbreadth wide, and its outlet is not a handbreadth wide—
  - K the uncleanness is in it—
  - L the house is unclean.
  - M Uncleanness is in the house—
  - N what is in it is clean,
  - O for it is the way of the uncleanness to exude, and it is not its way to seep in.
  - P It is not a handbreadth wide, and its outlet is not a handbreadth wide—
  - Q uncleanness is in it—
  - R the house is unclean.
  - S Uncleanness is in the house—
  - T what is in it is unclean.
  - U All the same is the hole dug by water or insects, or which saltpetre has eaten through—
  - V and so a row of stones, and so a pile of beams.
  - W R. Judah says, "Any Tent which is not made by man is no Tent."
  - X But he agrees concerning the clefts and overhanging rocks.
- **4:1** A A cupboard which stands in the open air—
  - B the uncleanness is in it—
  - C utensils which are in its thickness are clean.
  - D Uncleanness is in its thickness—
  - E utensils which are in it are clean.
  - F R. Yose says, "Half and half."
  - G It was standing in the house—
  - H uncleanness is in it—

- I the house is unclean.
- J Uncleanness is in the house—
- K what is in it is clean,
- L for the way of uncleanness is to exude, and its way is not to seep in.
- M Utensils which are between it and the ground, which are between it and the wall, which are between it and the roof beams—
- N if there is there a square handbreadth [of space], are unclean, and if not, they are clean.
- O [If] the uncleanness is there, the house is unclean.
- **4:2** A A drawer of the cupboard—
  - B there is in it a cubic handbreadth, but there is not in its outlet a cubic handbreadth—
  - C uncleanness is in it—
  - D the house is unclean.
  - E Uncleanness is in the house—
  - F what is in it is clean,
  - G for the way of uncleanness is to exude, and its way is not to seep in.
  - H R. Yose declares clean, because one can remove it in halves or burn it in its place.
- **4:3** A [If] it [the cupboard] was standing in the doorway and opened outward
  - B uncleanness is in it—
  - C the house is clean.
  - D Uncleanness is in the house—
  - E what is in it is unclean,
  - F for it is the way of uncleanness to exude, and it is not its way to seep in.
  - G [If] its base protruded backward three fingers—
  - H uncleanness [was] there under the roof beams—
  - I the house is clean.
  - J Under what circumstances?
  - K (1) When there is there a space of a cubic handbreadth, (and) (2) it is not detachable,
  - L (and) (3) when the cupboard comes in requisite size.
- **5:1** A An oven which is standing in the house and its outlet curved to the outside, and the funeral cortege overshadowed it—
  - B The House of Shammai say, "The whole is unclean."
  - C And the House of Hillel say, "The oven is unclean, and the house is clean."
  - D R. Aqiba says, "Even the oven is clean."
- **5:2** A A hatchway which is between the house and the upper chamber, and a pot is set on it but is perforated sufficiently to allow liquid to filter in—
  - B The House of Shammai say, "The whole is unclean."
  - C And the House of Hillel say, "The pot is unclean, and the upper chamber is clean."
  - D R. Aqiba says, "Even the pot is clean."
- 5:3 A It was whole—
  - B The House of Hillel say, "It affords protection for all."
  - C The House of Shammai say, "It affords protection only for foods and for liquids and for clay utensils."
  - D The House of Hillel reverted to rule in accord with the opinion of the House of Shammai.

- **5:4** A A flagon which is full of clean liquids—
  - B the flagon is unclean with the uncleanness which lasts seven days, and the liquids are clean.
  - C And if one emptied them into another utensil, they are unclean.
  - D The woman who is kneading in a trough—
  - E the woman and the trough are unclean with the uncleanness which lasts seven days, and the dough is clean.
  - F And if she emptied it into another utensil, it is unclean.
  - G The House of Hillel reverted to rule in accord with the opinion of the House of Shammai.
- **5:5** A [If] they were utensils of dung, utensils of stone, utensils of clod [which were set on the hatchway]—the whole is clean.
  - B [If] it was a utensil clean for a holy thing and for the purification [water], the whole is clean,
  - C for all are believed concerning the purification.
  - D (1) Because the utensils are clean, and (2) clay utensils are clean.
  - E (3) They afford protection with the walls of Tents.
- **5:6** A How so?
  - B The cistern and the cellar which are in the house and a basket is placed on it—it is clean.
  - C If it was a well [whose banks were] level to the ground, or a broken hive, and a basket was placed on it—it is unclean.
  - D If it was a smooth board or a colander without sides—it is clean.
  - E For utensils do not afford protection with the walls of the Tent until they have walls.
  - F And how much must the wall be? A handbreadth.
  - G If it had a half-handbreadth on one side and a half-handbreadth on the other—
  - H it is not a wall until it has a handbreadth on one side.
- **5:7** A Just as they afford protection inside, so they afford protection outside.
  - B How so?
  - C A basket which is set on pegs outside—
  - D uncleanness is under it—
  - E utensils which are in the basket are clean.
  - F If it was a wall of a courtyard or a wall of a garden, it does not afford protection.
  - G A beam which was set from wall to wall, and a pot is suspended on it—
  - H uncleanness is under it—
  - I utensils which are in the pot—
  - J R. Aqiba declares clean.
  - K And sages declare unclean.
- **6:1** A Man and utensils are made into Tents to contaminate, but not to purify.
  - B How so?
  - C (1) Four are bearing the bier—
  - D uncleanness is under it—
  - E utensils which are on top of it are unclean.
  - F (2) Uncleanness is on top of it—
  - G utensils which are under it are unclean.
  - H R. Eliezer declares clean,

- I It was set on four utensils,
- J even dung, stone, clod utensils,
- K uncleanness is under it—
- L utensils which are on top of it are unclean.
- M Uncleanness is on it—
- N utensils which are under it are unclean.
- O It is set on four stones, or on something in which is the breath of life—
- P uncleanness is under it—
- Q utensils which are on top of it are clean.
- R Uncleanness is on top of it—
- S utensils which are under it are clean.
- **6:2** A Corpse bearers who were passing in the portico, and one of them shut the door and fastened it with the key—
  - B if the door can stand by itself, it is clean. And if not, it is unclean.
  - C And so a jar of figs or a basket of straw which is set in the window—
  - D if the figs and the straw can stand by themselves, they are clean. And if not, they are unclean.
  - E A house which one divided by jars, and he plastered [the jars] with plaster—
  - F if the plaster can stand by itself, it is clean. And if not, it is unclean.
- **6:3** A A wall which serves the house is judged half and half.
  - B How so?
  - C A wall which is the open space and uncleanness is in it—
  - D [if the corpse matter is] from its half-way point and inward, the house is unclean, and that which stands on top of it [the wall with the corpse matter] is clean.
  - E [If the corpse matter is] from its half-way point and outward, the house is clean, and that which stands on top of it [the wall] is unclean.
  - F Half and half-the house is unclean.
  - G And that which stands above it—
  - H R. Meir declares unclean.
  - I And sages declare clean.
  - J R. Judah says, "The whole wall is assigned to the house."
- **6:4** A Wall which [stands] between two houses, and the uncleanness is in its midst—
  - B the house which is nearer the uncleanness is unclean, and that which is nearer the clean [side] is clean.
  - C Half and half-
  - D both of them are unclean.
  - E Uncleanness is in one of them, and utensils are in the wall—
  - F from the half-way point and toward the uncleanness, they are unclean.
  - G From the half-way point and toward the clean, they are clean.
  - H Half and half-lo, they are unclean.
  - I Plaster which is between the house and the upper room—
  - J uncleanness is in it—
  - K [if it is] from its half-way point and downward, the house is unclean, and the upper room is clean.
  - L [If the uncleanness is] from its half-way point and upward, the upper room is unclean, and the house is clean.

- M Half and half-both of them are unclean.
- N Uncleanness is in one of them and utensils are in the plaster—
- O from the half-way point and toward the uncleanness, they are unclean.
- P From the half-way point and toward the clean [side]—they are clean.
- Q Half and half-lo, they are unclean.
- R R. Judah says, "The entire plasterwork is [assigned] to the upper room."
- 6:5 A [If] uncleanness is between the beams, and beneath it is [plaster thin] as garlic peel,
  - B if there is there one cubic handbreadth, all is unclean.
  - C If there is not there a cubic handbreadth, they regard the uncleanness as if it is closed up.
  - D If it was visible from within the house, in any event the house is unclean.
- 6:6 A A house which serves the wall is adjudged in accord with the principle of the garlic peel.B How so?
  - C A wall which is between two tomb niches or between the caverns—
  - D uncleanness is in the houses, and utensils are in the wall, and over them is about a garlic peel—
  - E they are clean.
  - F Uncleanness is in the wall, and utensils are in the houses, and on them is layer of plaster [as thick] as a garlic peel—
  - G they are clean.
  - H Uncleanness is under the pillar—
  - I uncleanness breaks forth upward and breaks forth downward.
- **6:7** A Utensils which are under the capital are clean.
  - B R. Yohanan b. Nuri declares unclean.
  - C The uncleanness and the utensils which are under the capital, if there is there a square handbreadth, [the utensils] are unclean. And if not, they are clean.
  - D Two wall cupboards,
  - E one beside the other or one on top of the other—
  - F [if] one of them was opened—
  - G it and the house are unclean, but its fellow is clean.
  - H And they regard the wall cupboard as though it is sealed.
  - I It is adjudged half and half to bring the uncleanness into the house.
- 7:1 A The uncleanness is in the wall, and its place is a cubic handbreadth—
  - B all the upper rooms which are on top of it, even though they are ten, are unclean.
    - C [If] one upper room was on top of two houses, it is unclean, and all the upper rooms which are on top of it are clean.
    - D A second wall—
    - E uncleanness breaks forth and ascends, breaks forth and descends.
    - F A solid tomb monument—
    - G he who touches it from the sides is clean, because the uncleanness breaks forth and ascends, breaks forth and descends.
    - H If the place of the uncleanness was a cubic handbreadth, he that touches it in any place is unclean, because it is like a sealed grave.
  - I [If] one built *sukkot* up against it, they are unclean.
  - J R. Judah declares clean.

- **7:2** A All sloping parts of Tents are like Tents.
  - B A [wall of a] Tent which slopes downward and finished off at one fingerbreadth—
  - C uncleanness is in the Tent—
  - D utensils which are under the sloping wall are unclean.
  - E Uncleanness is under the sloping wall—
  - F utensils which are in the Tent are unclean.
  - G Uncleanness is inside it—
  - H he who touches it on the inside is unclean for seven days' uncleanness, and on the outside is unclean with the uncleanness that passes in the evening.
  - I Uncleanness is on the outer side—
  - J he who touches it on the outer side is unclean for seven days' uncleanness, and on the inside is unclean with the uncleanness that passes in the evening.
  - K A half-olive's bulk is on the inside and a half-olive's bulk is on the outside—
  - L he who touches it, whether on the inside or on the outside, is unclean with the uncleanness that passes in the evening.
  - M Part of it is flat on the ground—
  - N uncleanness is under it or on top of it—
  - O uncleanness breaks forth and ascends, breaks forth and descends.
  - P A Tent which is stretched out in an upper room—
  - Q part of it is flat on the hatchway which is between the house and the upper room—
  - R R. Yose says, "It affords protection."
  - S R. Simeon says, "It does not afford protection, until it is stretched out as the Tent is stretched out."
- 7:3 A The corpse is in the house, and in it [the house] are many openings—they all are unclean.
  - B [If] one of them is opened, it is unclean, and all are clean.
  - C [If] one gave thought to remove it through one of them, or through a window which is four-by-four handbreadths square, he has afforded protection for all the openings.
  - D The House of Shammai say, "He must give thought before the corpse is dead."
  - E The House of Hillel say, "Even after he has died."
  - F [If] it was blocked up and one decided to open it—
  - G The House of Shammai say, "When one will have opened it four [square handbreadths]."
  - H And the House of Hillel say, "When he will have begun."
  - I And they agree that when one opens in the first place, he should open it four handbreadths.
- **7:4** A The woman who was in hard labor and they removed her from one house to another—the first is unclean on account of doubt, and the second with certainty.
  - B Said R. Judah, "When? When she is taken by the arms. But if she was walking, the first is clean, for once the womb is opened, there is no time to walk."
  - C The still-born child has not opened the womb unless the head is rounded like a spindle-top.
- **7:5** A [If with twins] the first went forth dead, and the second alive, it is clean. [If] the first went forth alive, and the second dead, it is unclean.
  - B R. Meir says, "In one membrane, it is unclean; in two membranes, it is clean."
- **7:6** A The woman who is in hard labor they chop up the child in her womb and they remove it limb by limb, because her life takes precedence over his life.

- B [If] its greater part has gone forth, they do not touch him, for they do not set aside one life on account of another life.
- **8:1** A There are [some things which] bring the uncleanness and interpose, bring the uncleanness and do not interpose, interpose and do not bring, do not bring and do not interpose.
  - B These bring and interpose:
  - C (1) the chest, and (2) the box, and (3) the cupboard,
  - D (4) a hive of straw, (5) a hive of reeds,
  - E (6) and the hold of an Alexandrian ship
  - F (a) which have flat bottoms, and (b) hold forty *seahs* in liquid measure, which are (c) the same as two *kors* in dry measure;
  - G and (7) a curtain, and (8) an apron, and (9) a bedcover, and (10) a sheet, and (11) matting, and (12) a mat that are spread out as Tents;
  - H (13) a herd of cattle, clean or unclean,
  - I (14) nests of birds,
  - J and (15) the bird that nested,
  - K and (16) she that makes a place for her son among the sheaves,
  - L (17) the iris, (18) ivy, and (19) squirting cucumber, and (20) Greek gourd,
  - M and (21) clean foods;
  - N R. Yohanan b. Nuri did not agree concerning clean foods, except for a fig ring;
- **8:2** A (22) the wall projections, and (23) the balconies, and (24) the dovecotes, and (25) the overhanging crags, and (26) the rocks, and (27) the grottoes, and (28) the cliffs, and (29) the interlaced foliage, and (30) the protruding thorns, which can receive—
  - B "thin plaster," the words of R. Meir.
  - C And sages say, "Medium plaster."
  - D What is the interlaced foliage? A tree which shades the ground.
  - E And the protruding thorns [or: stones]? Thorns [or: stones] that project from the wall.
- **8:3** A These bring but do not interpose:
  - B (1) the chest, (2) box, (3) cupboard, (4) hive of straw, (5) the hive of reeds,
  - C and (6) the hold of the Alexandrian ship,
  - D (a) which have sides, and (b) which do not hold forty *seahs* of liquid measure, (c) which are two *kors* of dry measure;
  - E (7) a curtain, (8) leather apron, (9) bedcover, (10) sheet, (11) matting, and (12) a mat,
  - F which are not made as Tents,
  - G and (13) cattle and (14) wild beasts which have died,
  - H and (15) unclean foods.
  - I Added to them are (16) millstones of man.
- **8:4** A These interpose but do not bring:
  - B (1) stretched out warp threads, (2) the rope work of the bed, (3) refuse baskets, and (4) lattice-work which is on the windows.
- **8:5** A These do not bring [uncleanness] and do not interpose:
  - B (1) seeds, and (2) vegetables attached to the ground, except for the vegetables which they listed [in M. 8:1],

- C and (3) hailstones, (4) snow, (5) frost, (6) ice, and (7) salt,
- D and (8) what hops from place to place,
- E and (9) what jumps from place to place,
- F and (10) the bird in flight,
- G and (11) the flapping cloak,
- H and (12) a ship which is moving on the surface of the waters.
- I [If] one tied the ship with something which can hold it still, [or] held down a cloak with a stone,
  - it brings the uncleanness.
- J R. Yose says, "The house which is on the ship does not bring the uncleanness."
- **8:6** A Two jars, and in them are two half olive's bulks, sealed with a tightly stopped cover, and lying in the house—

[they] are clean, and the house is unclean.

- B [If] one of them is opened, it and the house are unclean, and its fellow is clean.
- C And so too two rooms which are open toward the house.
- **9:1** A A hive which is in the midst of the house, and its mouth is toward the outside—
  - B about an olive's bulk of corpse matter is placed under it or on top of it, outside—
  - C whatever is directly opposite the olive's bulk, below it, or on top of it is unclean.
  - D And whatever is not opposite the olive's bulk, inside it, and the house is clean.
  - E In the house—unclean is only the house.
  - F In it—all is unclean.
- 9:2 A It was a handbreadth above the earth
  - uncleanness is under it, or in the house, or on top of it—all is unclean but inside it.
  - B Inside of it—everything is unclean.
- **9:3** A Under what circumstances? When it is a utensil, lying loosely.
  - B If it was broken and stuffed with straw, or fixed tightly—
    - C —what is "fixed tightly"? Whatever does not have a handbreadth in another direction—
    - D [if] about an olive's bulk of corpse matter is placed under it—
    - E that which is opposite it down to the nethermost deep is unclean.
    - F On top of it—that which is opposite it up to the firmament is unclean.
    - G In the house—unclean is only the house.
  - H In it—unclean is only its midst.
- **9:4** A It was a handbreadth above the earth—
  - B uncleanness is under it or in the house—
  - C that which is under it and the house are unclean. That which is in it and above it are clean.
  - D In it—unclean is only its inside.
  - E On top of it—opposite it up to the firmament is unclean.
- **9:5** A Under what circumstances? When its mouth is facing outside.
  - B [If] its mouth was facing inside, and about an olive's bulk of corpse matter was placed under it or on top of it, outside—

	С	whatever is opposite the olive's bulk, under it, or on top of it is unclean, and whatever is not opposite the olive's bulk, [whatever is] inside of it, and the house, is clean. In it or in the house—everything is unclean.
9:6	А	[If] it was a handbreadth off the ground—
	В	uncleanness is under it or in the house or in it or on top of it— everything is unclean.
9:7	A B	Under what circumstances? When it is a utensil, loosely fitting. If it was damaged and stuffed with straw, or tightly fitting—What is 'tightly
	2	fitting'? That it has not a handbreadth in any direction—
	С	[if] about an olive's bulk of corpse matter is placed under it,
	D	whatever is opposite it down to the nethermost deep is unclean.
	E	On top of it—opposite it up to the firmament is unclean.
	F	Inside it or in the house—what is inside it and the house are unclean.
9:8	А	[If] it was a handbreadth above the earth—
	В	uncleanness is under it or in the house or inside it—
	C	all is unclean except that which is on top of it.
	D	On top of it—opposite it up to the firmament is unclean.
9:9	А	[If] it filled the whole house, and there is not a handbreadth [of space] between it and the
	_	beams—
	B	uncleanness is in it—
	C	the house is unclean.
	D E	Uncleanness is in the house—
	E	what is in it is clean, for it is the way of uncleanness to exude, and it is not its way to seep in,
	F	whether it is standing or lying on its side, whether there is one or two.
9:10	А	[If] it was standing in the midst of the doorway, and there is not between it and the lintel a
		space of a square handbreadth—
	B	uncleanness is in it—
	C	the house is clean.
	D	Uncleanness is in the house—
	E	what is in it is unclean,
	F	for it is the way of uncleanness to exude, and it is not its way to seep in.
9:11	А	[If] it was lying on its side in the open air,
	В	and about a handbreadth of corpse matter was placed under it or on top of it—
	С	whatever is opposite the olive's bulk, under it and on top of it is unclean.
	D	And what is not opposite the olive's bulk [or] inside it is clean.
	E	Inside it—all is unclean.
9:12	А	[If] it was a handbreadth high off the ground—
ו1#	B	uncleanness is under it or on top of it—
		L .

- C everything is unclean except [what is in] its inside.
- D [If uncleanness is] inside it—everything is unclean.
- E Under what circumstances? When it is a utensil.
- F If it was damaged and stuffed with straw, or holds forty *seahs* in accord with the words of the sages—
- G about an olive's bulk of corpse matter is placed under it—
- H opposite it down to the nethermost deep is unclean.
- I On top of it—opposite it up to the firmament is unclean.
- J Inside it—unclean is only what is inside it.
- K If it was a handbreadth high above the ground—
- L uncleanness is under it—
- M under it is unclean.
- N In it—in it is unclean.
- O On top of it—opposite it up to the firmament is unclean.
- 9:13 A [If] it was setting on its bottom, and it is a utensil—
  - B uncleanness is under it, in it, or on top of it—
  - C uncleanness breaks forth and ascends, breaks forth and descends.
  - D If it was a handbreadth high off the ground, or covered over, or turned upside down on its mouth—
  - E uncleanness is under it, in it, or on top of it—
  - F everything is unclean.
- **9:14** A Under what circumstances? When it is a utensil. [If] it was damaged and stuffed with straw, or holds forty *seahs* according to the words of sages—
  - B uncleanness is under it, inside it, or on top of it—
  - C uncleanness breaks forth and ascends, breaks forth and descends.
  - D R. Eleazar and R. Simeon say, "Uncleanness does not ascend to it [from below], nor does it descend from it."
  - E If it was a handbreadth high off the ground—
  - F uncleanness is under it—
  - G under it is unclean.
  - H In it or on top of it—
  - I opposite it up to the firmament is unclean.
- **9:15** A A tomb which is broad on the bottom and narrow on the top, and the corpse is in its midst—
  - B he who touches it on the bottom is clean, and [he who touches it] on the top is unclean.
  - C Broad on the top and narrow on the bottom—he who touches it from any direction is unclean.
  - D If it was equal—
  - E "he who touches it on any place is unclean," the words of R. Eliezer.
  - F R. Joshua says, "From a handbreadth and downward, he is clean, and from handbreadth and upward, he is unclean."
  - G [Concerning] that which is made like a kind of clothes chest—he who touches it any place is unclean.
  - H [If it is made] like a kind of case—he who touches it any place is clean, except on the place of its opening.

- **9:16** A A jar which is setting on its bottom in the open air, and about an olive's bulk of corpse matter is placed under it, or inside it, or directly opposite its bottom—
  - B uncleanness breaks forth and ascends, breaks forth and descends, and the jar is unclean.
  - C Under its side outside—
  - D uncleanness breaks forth upward, breaks forth downward, but the jar is clean.
  - E Inside it under its side—
  - F if there is a square handbreadth in the sides, all is unclean.
  - G But directly below its mouth is clean.
  - H And if not, uncleanness breaks forth and ascends, breaks forth and descends.
  - I Under what circumstances?
  - J With respect to a clean [jar].
  - K But if it was unclean,
  - L or if it was a handbreadth high off the ground,
  - M or if it was covered,
  - N or if it was turned on its mouth—
  - O uncleanness is under it, or in it, or on top of it—
  - P everything is unclean.

## 10:1 A A hatchway which is in the midst of the house, and there is in it a square handbreadth—

- B uncleanness is in the house—
- C that which is directly below the hatchway is clean.
- D Uncleanness is directly below the hatchway—
- E the house is clean.
- F Whether the uncleanness is in the house or in the [space] below the hatchway,
- G [if] one set his foot above it, he has combined the uncleanness.
- H Part of the uncleanness is in the house, and part of it is directly below the hatchway—
- I the house is unclean.
- J And that which is directly above the uncleanness is unclean.
- **10:2** A There is not a square handbreadth in the hatchway—
  - B uncleanness is in the house—
  - C [that which is] directly under the hatchway is clean.
  - D Uncleanness is directly under the hatchway—
  - E the house is clean.
  - F The uncleanness is in the house—
  - G one set his foot above it—
  - H he is clean.
  - I The uncleanness is directly below the hatchway—
  - J one placed his foot above it—
  - K R. Meir declares unclean.
  - L And sages say, "If the uncleanness was there before his foot, he is clean, and if his foot was there before the uncleanness, he is clean."
  - M R. Simeon says, "Two feet, one of top of the other, which were there before the uncleanness—
  - N "[if] the first withdrew his foot, and it results that the foot of the second is there, he is clean, because the foot of the first was there before the uncleanness."
- 10:3 A Part of the uncleanness is in the house, and part of it is directly below the hatchway—

- B "the house is unclean, and what is directly above the uncleanness is unclean," the words of R. Meir.
- C R. Judah says, "The house is unclean. [What is] directly above the uncleanness is clean."
- D R. Yose says, "If there is a sufficient quantity of uncleanness so that it may be divided and [one part] will make the house unclean, and [one part] will make what is above the uncleanness unclean [then both areas become] unclean. And if not, the house is unclean, and [the space] directly above the uncleanness is clean."
- 10:4 A Hatchways, one on top of the other, and there is in them a square hand breadth—
  - B uncleanness is in the house—
  - C what is directly above the hatchways is clean.
  - D Uncleanness is in the hatchways—
  - E the house is clean.
  - F Whether in the house or directly below the hatchways,
  - G [if] one put something which is susceptible to uncleanness, whether in the upper or lower hatchway, everything is unclean.
  - H [And if he put] something which does not receive uncleanness, from it and downward is unclean, and from it and upward is clean.
- **10:5** A There is not in the hatchways a square handbreadth—
  - B uncleanness is in the house—
  - C directly above the hatchways is clean.
  - D Uncleanness is directly below the hatchways—
  - E the house is clean.
  - F The uncleanness is in the house—
  - G [if] one put something, whether or not it receives uncleanness, whether in the upper or the lower hatchway,
  - H unclean is only what is [in] the lower.
  - I The uncleanness is directly above the hatchways—
  - J [if] one put something which is susceptible to uncleanness, whether above or below, everything is unclean.
  - K And [if one put] something which does not receive uncleanness, whether above or below, unclean is only below.
- **10:6** A A hatchway which is in the house—
  - B and a pot is set under it, so that, if it is raised up, its lips will not touch the hatchway —
  - C uncleanness is under it, inside it, or on top of it—
  - D uncleanness breaks forth and ascends, breaks forth and descends.
  - E It was a handbreadth above the ground—
  - F uncleanness is under it or in the house—
  - G [space] under it and the house are unclean.
  - H Inside it and on top of it—it is clean.
  - I Inside it or on top of it—everything is unclean.
- **10:7** A [If] it was placed on the side of the threshold, so that if it is raised up, it will touch the lintel over a handbreadth—
  - B uncleanness is under it, inside it, or on top of it—
  - C uncleanness breaks forth and ascends, breaks forth and descends.

- D [If] it was a handbreadth above the earth—
- E uncleanness is under it or in the house—
- F under it and the house is unclean.
- G Inside it and on top of it is clean.
- H [If one put uncleanness] inside it or on top of it, everything is unclean.
- I [If it is placed so that] if it is raised, it will not touch the lintel over a square handbreadth, or [if] it is joined to the lintel—
- J uncleanness is under it—
- K unclean is only the space underneath it.
- **11:1** A The house which split—
  - B uncleanness is on the outer side—
  - C utensils which are on the inner side are clean.
  - D Uncleanness is on the inner side—
  - E utensils which are on the outer side—
  - F The House of Shammai say, "Until there is in the split four handbreadths."
  - G The House of Hillel say, "Any amount."
  - H R. Yose says in the name of the House of Hillel, "A square handbreadth."
- **11:2** A A portico which split—
  - B uncleanness is on this side—
  - C utensils which are on the other side are clean.
  - D [If] one put his foot or a reed above, he has combined the uncleanness.
  - E [If] one put the reed on the ground, it does not bring the uncleanness until it will be a handbreadth above the ground.
- **11:3** A A thick cloak and a thick wooden block do not bring the uncleanness until they are a handbreadth above the ground.
  - B Folded one above the other, they do not bring the uncleanness until the upper one is a handbreadth above the ground.
  - C [if] a man was placed there—
  - D the House of Shammai say, "He does not bring the uncleanness."
  - E And the House of Hillel say, "A man is hollow, and his upper side brings the uncleanness."
- 11:4 A [If] one was looking out of the window and overshadowed the corpse bearers—
  - B The House of Shammai say, "He does not bring the uncleanness."
  - C And the House of Hillel say, "He brings the uncleanness."
  - D And they agree that, if he was dressed in his clothing, or if they were two, one above the other, they do bring the uncleanness.
- 11:5 A If one was lying over the threshold and the corpse bearers overshadowed him—
  - B The House of Shammai say, "He does not bring the uncleanness."
  - C And the House of Hillel say, "He brings the uncleanness."
- 11:6 A The uncleanness was in the house, and clean people overshadowed him—
  - B The House of Shammai declare [them] clean,
  - C and the House of Hillel declare [them] unclean.

- 11:7 A A dog which ate the flesh of the corpse, and the dog died and was lying on the threshold—
  - B R. Meir says, "If his neck is a handbreadth wide, he brings the uncleanness, and if not, he does not bring the uncleanness."
  - C R. Yose says, "We examine the uncleanness. [If the dog's belly is] from directly beneath the lintel and inside, [toward the house], the house is unclean. [If it is] from directly beneath the lintel and [towards the] outside, the house is clean."
  - D R. Eleazar says, "[If] his mouth is inside, the house is clean; [if] his mouth is outside, the house is unclean, for the uncleanness exudes through his hindparts."
  - E R. Judah b. Beterah says, "One way or the other, the house is unclean."
  - F How much must it remain in his intestines? Three whole days.
  - G And in birds and fish.'
  - H "Sufficient time for it to fall into the fire and be burned," the words of R. Simeon.
  - I R. Judah b. Beterah says, "In birds and fish, twenty-four hours."
- **11:8** A The cellar which is in the house—
  - B and a candlestick is in it, and its cup projected—
  - C and a basket was set on it, so that, if the candlestick should fall, the basket [nonetheless] would stand on the cistern—
  - D The House of Shammai say, "The cellar is clean, and the candlestick is unclean."
  - E The House of Hillel say, "Also the candlestick is clean."
  - F And they agree that, if the candlestick should be removed, and the basket should fall, all is unclean.
- **11:9** A Utensils which are between the rims of the basket and the rims of the cistern, even to the nethermost deep, are clean.
  - B Uncleanness is there—
  - C the house is unclean.
  - D Uncleanness is in the house—
  - E utensils which are in the walls of the cistern—
  - F if in their place is a cubic handbreadth, are clean, and if not, are unclean.
  - G If the walls of the cistern were wider than the walls of the house, one way or the other, they are clean.
- **12:1** A A board which was placed over the mouth of a new oven and it projects on all its sides for a square handbreadth—
  - B uncleanness is under it—
  - C utensils which are on top of it are clean.
  - D Uncleanness is on top of it—
  - E utensils which are under it are clean.
  - F And in the case of an old one, it is unclean.
  - G R. Yohanan b. Nuri declares clean.
  - H It was placed over the mouths of two ovens—
  - I uncleanness is between them—
  - J they are unclean.
  - K R. Yohanan b. Nuri declares clean.
- **12:2** A A colander which is placed over the mouth of the oven, sealed with a tightly stopped-up cover—

- B uncleanness is under it or on top of it—
- C everything is unclean.
- D [But] directly below, [in] the airspace of the oven, it is clean.
- E Uncleanness is directly above the airspace of the oven—
- F directly above it up to the firmament is unclean.
- **12:3** A A board which is placed over the mouth of an old oven, projecting for a square handbreadth on two ends but not on the sides—
  - B uncleanness is directly under this side—
  - C utensils which are under the second side are clean.
  - D R. Yose declares unclean.
  - E The projecting windowsill does not bring the uncleanness.
  - F [If] there was a projection—
  - G R. Eliezer says, "It does not bring the uncleanness.
  - H R. Joshua says, "We regard the projection as if it were not [present], and the upper projection brings the uncleanness."
- **12:4** A A sandal of a cradle, the opening of which is in the house— if there is in it a square handbreadth,
  - B everything is unclean.
  - C And if not, they reckon after the manner in which they reckon the degree of uncleanness prescribed for corpse uncleanness.
- **12:5** A The beams of the house and the upper room, on which there is no plaster, and they lie exactly in line with one another—
  - B uncleanness is under one of them—
  - C under it is it unclean.
  - D [Uncleanness is] between a lower and an upper [beam]—
  - E [only the space] between them is unclean.
  - F [Uncleanness is] on an upper one—
  - G directly above it up to the firmament is unclean.
  - H The upper ones lay directly above and opposite the gaps between the lower ones—
  - I uncleanness is under one of them
  - J [the space] under all of them is unclean.
  - K [Uncleanness is] on top of them—
  - L directly above it up to the firmament is unclean.
- 12:6 A A beam which is placed from wall to wall, and uncleanness is under it
  - B if there is in it a square handbreadth, it brings the uncleanness to all, and if not, uncleanness breaks forth and ascends, breaks forth and descends.
  - C How much must there be in its circumference so that it [measures] a handbreadth wide?
  - D When it is round, its circumference must be three handbreadths.
  - E When it is square, four.
  - F For what is square is greater than what is round by a fourth.
- 12:7 A A column which lay [on the ground] in the open air—
  - B if there is in its circumference twenty-four handbreadths, it brings uncleanness under its [entire] side, and if not, uncleanness breaks forth and ascends, breaks forth and descends.

- 12:8 A About an olive's bulk of corpse matter is attached to the threshold
  - B R. Eliezer declares the house unclean.
  - C R. Joshua declares [it] clean.
  - D [If] it was placed under the threshold, it is adjudged half and half.
  - E If it was attached to the lintel, the house is unclean.
  - F R. Yose declares clean.
  - G [If] it was placed in the midst of the house, he that touches the lintel is unclean.
  - H He that touches the threshold—
  - I R. Eliezer declares unclean.
  - J R. Joshua says, "[If he touches it] from a handbreadth and downward, he is clean, [if he touches it] from a handbreadth and upward, he is unclean."
- **13:1** A He who makes a light hole in the first instance—
  - B its measure is the size of the hole of the large drill in the chamber.
    - C Remnants of the light hole—
    - D a height of two fingerbreadths over a breadth of the thumb.
    - E What are the remnants of the light hole?
    - F A window which one has stopped up and did not have time to finish.
    - G [If] water or creeping things bored the hole, or if saltpetre ate through it—its measure is the size of a fist.
    - H [If] one gave thought to it to make use of it, its measure is a square handbreadth.
    - I A light hole—its measure is the breadth of the hole of the drill.
    - J "The grating and the lattice-work join together as the size of a drill," in accord with the words of the House of Shammai.
    - K The House of Hillel say, "Until there will be in a single place a hole the size of a drill."
    - L Both to bring in uncleanness and to let out uncleanness.
    - M R. Simeon says, "To bring in the uncleanness; but to let out the uncleanness, a square handbreadth."
- **13:2** A A window which is for [letting in] air—its measure is a drill.
  - B [If] one built a house outside it, its measure is with a square handbreadth.
  - C [If] one put the beam in the middle of the window, the lower part, a square handbreadth, and the upper, the size of a hole made by a drill.
- **13:3** A The hole which is in the door—its measure is:
  - B "The size of a fist," the words of R. Aqiba.
  - C R. Tarfon says, "A square handbreadth."
  - D If the carpenter left a hole at the bottom or at the top, [or if] one shut the door and did not close it tightly, [or if] the wind opened it up—its measure is the size of a fist.
- **13:4** A He who makes a place [a hole made by piercing through the wall] for the reed, and for the [weaver's] stave, and for the lamp—
  - B "its measure is in any amount at all," in accord with the words of the House of Shammai.
  - C The House of Hillel say, "A square handbreadth."
  - D [If one made a hole] through which to look out and to speak with his fellow and for use—with a square handbreadth.

- **13:5** A These lessen the handbreadth:
  - B (1) less than an olive's bulk of flesh [of a corpse] lessens the space so that uncleanness arising from a quarter-*qab* of bones cannot pass through; and (2) less than a bone the size of a barleycorn lessens the space so that uncleanness arising from an olive's bulk of flesh from a corpse cannot pass through.
  - C (3) Less than an olive's bulk of corpse matter, (4) less than an olive's bulk of carrion, (5) less than a lentil's bulk of creeping thing, (6) less than an egg's bulk of foods, (7) the plant which is growing against the window, (8) reed pith in which there is any substance, (9) the carcass of a bird to which one has not given thought, and (10) the carcass of an unclean bird to which one has given thought but which one has not rendered susceptible to uncleanness, or which one has rendered susceptible to uncleanness but has not given thought [to eating].
- **13:6** A These are things which do not diminish: (1) the bone does not lessen against bones from a corpse; nor (2) flesh against other corpse flesh;
  - B nor (3) about an olive's bulk of corpse matter, (4) about an olive's bulk of carrion, (5) about a lentil of the creeping thing, (6) about an egg's bulk of foods, and (7) not a plant which is growing against the windows, (8) reed pith in which there is no substance, (9) the carcass of a clean bird which one has given thought, and (10) not the carcass of an unclean bird to which one has given thought and which one rendered susceptible to uncleanness,
  - C and (11) not the warp and woof threads which have contracted leprosy.
  - D "And not a brick from a grave area," the words of R. Meir.
  - E And sages say, "The brick diminishes, because its dust is clean."
  - F This is the general rule: That which is clean diminishes, and that which is unclean does not diminish.
- **14:1** A The wall projection brings uncleanness whatever its depth. The pointed moulding and the rounded moulding—a square handbreadth.
  - B What is the wall projection? That whose face is downward. And the pointed moulding? That whose face points upward.
  - C And under what circumstances have they said, "A wall projection brings uncleanness whatever its depth"?
  - D Concerning a projection which is [no] higher than the door by three courses, which are twelve handbreadths.
  - E More than this—it brings uncleanness [only if it is] square handbreadth wide [deep].
  - F The cornices and the carvings bring the uncleanness [if they are] a hand breadth in depth.
- **14:2** A A wall projection which is on top of the door brings the uncleanness if it is a square handbreadth.
  - B One which is over the window, at a height of two fingerbreadths, and one which is over the hole size of a drill, at any depth.
  - C R. Yose says, "Only if it[s height] is of equal measure."
- **14:3** A "A reed which is on top of the door, even a hundred cubits high, brings the uncleanness whatever its depth," the words of R. Joshua.
  - B R. Yohanan b. Nuri says, "Let this not be more stringent than [the case of] the wall projection."

- **14:4** A A projection which runs around the whole house and extends at the door for three fingerbreadths—
  - B uncleanness is in the house—
  - C utensils which are under it are unclean.
  - D Uncleanness is under it—
  - E R. Eliezer declares the house unclean.
  - F And R. Joshua declares clean.
  - G And so in the case of a courtyard which is surrounded by a portico.
- **14:5** A Two wall projections, one above the other, and there is in them a square handbreadth, and between them is a square handbreadth—
  - B uncleanness is under them—
  - C [space] under them is unclean.
  - D [Uncleanness is] between them—
  - E [space] between them is unclean.
  - F [Uncleanness is] on top of them—
  - G [space] directly above it [the upper projection] up to the firmament is unclean.
  - H [If] the upper one projected over the lower one by a square handbreadth—
  - I [if] uncleanness is under them or between them—
  - J [space] under them or between them is unclean.
  - K [If uncleanness is] on top of them, [space] directly above it up to the firmament is unclean.
  - L [If] the upper one projected over the lower one less than a square hand breadth—
  - M [if] uncleanness is under them—
  - N [space] under them and between them is unclean.
  - O [If uncleanness is] between them or under the overhang [of the higher one]—
  - P R. Eliezer says, "[Space] under them and between them is unclean."
  - Q R. Joshua says, "[Space] between them and under the overhang [of the higher one] is unclean, but [space] under them is clean."
- **14:6** A [If the two wall projections were] a handbreadth deep, but there is not between them a square handbreadth—
  - B uncleanness is under them—
  - C [space] under them is unclean.
  - D [Uncleanness is] between them or on top of them—[space] directly above it up to the firmament is unclean.
- **14:7** A [If] they were not a handbreadth deep, whether or not there is between them a square handbreadth—
  - B uncleanness is under them, or between them, or on top of them—
  - C uncleanness breaks forth and ascends, breaks forth and descends.
  - D And so, too, two outspread curtains which are a handbreadth above the ground.
- **15:1** A A thick cloak and a thick block of wood do not give passage to the uncleanness until they are a handbreadth above the ground. Doubled on one another, they do not bring the uncleanness until the upper one is a handbreadth above the ground.
  - B Tablets of wood, one above the other, do not give passage to the uncleanness until the upper one is a handbreadth above the ground.

- C And if they were of marble, uncleanness breaks forth and ascends, breaks forth and descends.
- **15:2** A Tables of wood which touch one another at their corners and which are a handbreadth above the ground—
  - B uncleanness is under one of them—
  - C he that touches the second is unclean with the uncleanness which lasts for seven days.
  - D Utensils which are under the first one are unclean and those which are under the second one are clean.
  - E The table does not bring the uncleanness until it has a squared handbreadth.
- **15:3** A Jars [of clay] which set on their bottoms or lie on their sides in the open air, and which touch one another for a handbreadth—
  - B uncleanness is under one of them—
  - C uncleanness breaks forth and ascends, breaks forth and descends.
  - D Under what circumstances?
  - E In the case of clean ones.
  - F But if they were unclean, or a handbreadth above the ground
  - G uncleanness is under one of them—
  - H under all of them it is unclean.
- **15:4** A A house which one divided with boards or curtains, from the sides or from the roof beams—
  - B uncleanness is in the house—
  - C utensils which are in the partitioned-off area are clean.
  - D Uncleanness is in the part that is partitioned off—
  - E utensils which are in the house are unclean.
  - F Utensils which are in the partitioned-off area,
  - G if there is there a space of a handbreadth, are unclean, and if not, are clean.
- **15:5** A One partitioned it off at its floor—
  - B uncleanness is in the partitioned-off part—
  - C utensils which are in the house are unclean.
  - D Uncleanness is in the house—
  - E utensils which are in the partitioned-off part,
  - F if there is in their place a cubic handbreadth, are clean, and if not, are unclean.
  - G For the ground of the house is like it down to the nethermost deep.
- **15:6** A A house which is filled with straw, and there is not between it and the beams a square handbreadth—
  - B uncleanness is inside—
  - C utensils which are directly opposite the entrance are unclean.
  - D Uncleanness is outside—
  - E utensils which are inside—
  - F if there is in their place a cubic handbreadth are clean, and if not, are unclean.
  - G If there is between the straw and the beams a square handbreadth, one way or the other they are unclean.

- **15:7** A A house which one filled with dirt or pebbles, and which one abandoned,
  - B (and so a heap of grain, or a pile of pebbles, even like the pile of Akhan [Josh. 7:26])—
  - C and even if uncleanness is on the side of the utensils—
  - D uncleanness breaks forth and ascends, breaks forth and descends.
- **15:8** A The forecourt of the tomb vault—
  - B he who stands in its midst is clean, so long as there will be in it:
  - C "four cubits," in accord with the words of the House of Shammai.
  - D The House of Hillel say, "Four handbreadths."
  - E A beam which one made into a rolling stone for the tomb, with whether upright or on its side—
  - F unclean is only the part directly opposite the opening.
  - G One made its head into a rolling stone for the tomb—
  - H unclean is only up to four handbreadths.
  - I And [this rule applies] when one is destined to cut it off.
  - J R. Judah says, "The entire [beam] is connected."
- **15:9** A A jar which is filled with clean liquids, and sealed with a tightly sealed cover, and which one made into a rolling stone for a tomb—
  - B he that touches it is unclean with the uncleanness that lasts for seven days, and the jar and the liquids are clean.
  - C A cow which one made into a rolling stone for a tomb—he who touches it is unclean with the uncleanness which lasts for seven days.
  - D R. Meir says, "Whatever breathes is not made unclean on account of serving as a rolling stone."
- **15:10** A He who touches the corpse and touches the utensils, [or] he who over shadows the corpse and touches the utensils—they are unclean.
  - B He who overshadows the corpse and overshadows the utensils, for] he who touches the corpse and overshadows the utensils—they are clean.
  - C If his hand was a handbreadth square, they are unclean.
  - D Two houses, and in them are approximately two half olive's bulks of corpse matter—
  - E he put his two hands into each of them—
  - F if there is in his hands a square handbreadth, he brings the uncleanness, and if not, he does not bring the uncleanness.
- 16:1 A All movables bring the uncleanness [as Tents] when they are as thick as an ox goad.
  - B Said R. Tarfon, "May I ruin my sons, that this is a ruined law, which the hearer heard and erred, that:
  - C "the farmer passes [by the tomb] and the ox goad is on his shoulder, and one side of it overshadowed the tomb, and they declared him unclean,
  - D "because [of the rule governing] utensils which overshadow the corpse."
  - E Said R. Aqiba, "I shall repair it so that the words of sages may endure. Thus:
  - F "all movables bring the uncleanness *on the man who carries them* if they are thick as an ox goad,
  - G "and *on themselves* if they are of any measure at all,
  - H "and on another man and utensils if they are a square handbreadth."

- **16:2** A How so?
  - B A spindle which is thrust into the wall—
  - C about a half-olive's bulk of corpse matter is under it, and about a half-olive's bulk of corpse matter is on top of it—
  - D even though they are not directly opposite one another—
  - E it is unclean.
  - F It comes out that it brings the uncleanness to itself if it is any size at all.
  - G The pot seller who passes, and the yoke is on his shoulder, and one side of it overshadowed the tomb—
  - H the utensils which are on the second side are clean.
  - I If there is in the yoke a square handbreadth, they are unclean.
  - J Mounds which are near, whether [near] the city or the road, whether new or old, are unclean.
  - K These which are distant—
  - L new ones are clean, and old ones are unclean.
  - M What is one that is near?
  - N "Fifty cubits.
  - O "And old?
  - P "Sixty years," the words of R. Meir.
  - Q R. Judah says, "Near—that there is none nearer than it. And old—that no man remembers it[s origins]."
- **16:3** A A man who finds a corpse,
  - B lying in usual fashion,
  - C in the first instance—
  - D removes it and the soil around it.
  - E [If] one found two, he removes them and their soil.
  - F [If] one found three, if there are four cubits between this and that one, and up to eight, about enough space for the bier and its bearers—
  - G lo, this is a graveyard.
  - H One examines [the ground] from it and onward for twenty cubits.
  - I [If] one found one at the end of twenty cubits, he examines [the ground] from it and onward [another] twenty cubits, for there is a basis for the matter,
  - J although if one had found it in the first place, he removes it and its soil.
- **16:4** A He who examines [the grounds] examines a square cubit and leaves a cubit, until he reaches rock or virgin soil.
  - B He who removes the dirt from the place of uncleanness eats of his heave offering.
  - C He who clears away a ruin does not eat his doubtful heave offering.
- **16:5** A [If] one was examining reached a brook or pool of water or public road it interrupts.
  - B (1) [If he discovers] a field in which people have been slain, he gathers bone by bone, and all is clean.

(2) He who removes his tomb from the midst of his field gathers bone by bone, and all is clean.

(3) A cistern into which they throw abortions or slain people—one gathers bone by bone, and all is clean.

C R. Simeon says, "If one adapted it [the cistern] as a tomb to begin with, it has soil wherein a corpse has lain."

- 17:1 A He who ploughs up the grave—lo, he makes [the field into] a grave area.
  - B How much [space] does he make?
    - The length of a furrow of a hundred cubits, [over] a space of four *seahs*.
  - C R. Yose says, "A space of five [seahs]."
  - D When the land slopes downward or when it slopes upward, one puts a quarter-*qab* of vetch— seed on the knee of the plough, and as far as the place at which [the last] three vetch plants grow up beside one another, that far one makes a grave area.
  - E R. Yose says, "[The entire rule of the grave area applies only] where the ground slopes downward, not where it slopes upward."
- **17:2** A One was ploughing and struck against a rock or against a fence, or he shook off the plough, —to that point he makes a grave area.
  - B R. Eliezer says, "A grave area makes a grave area."
  - C R. Joshua says, "Sometimes it makes, and sometimes it does not make, [a grave area].
  - D "How so?"
  - E "[If] one ploughed a half-furrow [fifty cubits] and returned and ploughed the [further] half-furrow, and so to the side, lo, this makes a grave area.
  - F "[If] he ploughed a whole furrow and went and ploughed from it and onward,
- **17:3** A He who ploughs in a pit filled with bones, in a pile of bones, in a field in which a tomb was lost, or in which a tomb was [afterward] found—
  - B he who ploughs what is not his own—
  - C and so a gentile who ploughed—
  - D he does not make a grave area,
  - E for the law of the grave area does not apply among Samaritans.
- 17:4 A A field which is a grave area [situated] over [a field which is] clean
  - B [if] the rains washed down soil from the grave area to the clean field,
  - C even red soil and it was turned white, or white and it was turned red,
  - D they do not make it a grave area.
- 17:5 A A field in which a tomb was lost,
  - B and in which one built a house and an upper room on top of it,
    - C if the door of the upper room was directly above the door of the house, the upper room is clean.
      - And if not, the upper room is unclean.
    - D Dirt of a grave area and dirt from abroad which came in vegetables "join together to reach the measure of the seal of packing bags," the words of R. Eliezer.
    - E And sages say, "[It is not joined together but conveys uncleanness] only if in one place is sufficient to serve as a seal of packing bags."
    - F Said R. Judah, "M'SH: Letters were coming from abroad to the sons of the high priests, and there was on them a *seah* or two *seahs* of seals, and sages were not scrupulous about them on account of uncleanness."
- **18:1** A How do they gather grapes in a grave area?
  - B "They sprinkle on the man and on the utensils, and repeat the process, and gather the grapes, and bring them out of the grave area, and others take [the grapes] from them and bring [them] to the winepress.

- C "If these touched the others, they [the second also] are unclean," in accord with the words of the House of Hillel.
- D The House of Shammai say, "One holds the sickle with a wrapping of bast, or cuts the grapes with a flint, and places them into the large basket and brings them to the winepress."
- E Said R. Yose, "Under what circumstances? In a vineyard which has been made into a grave area. But he who plants in a grave area—let it [the produce] be sold in the market."
- **18:2** A There are three kinds of grave areas:
  - B He who ploughs up the grave it may be planted with any kind of tree, but it may not be sown with any kind of seed, except for seed [the plants of which] are cut.
  - C And if one uprooted it, one heaps up the threshing floor in it, and sifts—
  - D "the grain through two sieves," the words of R. Meir.
  - E And sages say, "The grain with two sieves, and the pulse through three sieves."
  - F And one burns the stubble and the stalks [in the grave area].
  - G And it renders unclean through contact and through carrying, and it does not render unclean through the Tent.
- **18:3** A A field in the midst of which a grave has been lost— is sown with any kind of seed but is not planted with any kind of tree.
  - B And they do not preserve trees in it, except for a barren tree, which does not produce fruits.
  - C And it renders unclean through contact and through carrying and through the Tent.
- **18:4** A field of mourners/tomb niches—
  - B is not planted, and is not sown, but its dust is clean. And they make from it ovens for holy [use].
  - C And the House of Shammai and the House of Hillel agree that they examine the soil for one who makes the Passover, and they do not examine the soil for one who would eat heave offering.
  - D And for the Nazir:
  - E The House of Shammai say, "They examine the soil."
  - F And the House of Hillel say, "They do not examine the soil."
  - G How does one examine the soil?
  - H One brings the dirt which one can move, and puts it into a sieve whose perforations are small and crumbles [it]. If there is found there a bone the size of a barleycorn, he is unclean.
- **18:5** A How do they render a grave area clean?
  - B They take from it three handbreadths, or put on it three handbreadths.
  - C If one took three handbreadths from half of it and put three handbreadths on top of the other half, it is clean.
  - D R. Simeon says, "Even if one took from it a handbreadth and a half and put on top of it a handbreadth and a half [of dirt] from another place, it is clean."
  - E He who paves a grave area with stones which one cannot move—it is clean.
  - F R. Simeon says, "Even one who breaks the ground of a grave area—it is clean."

- **18:6** A He who walks through a grave area on stones which he cannot move, on a man, or on a strong cow, is clean.
  - B [He who walks through a grave area] on stones which he can move, on a man, or on a weak cow, is unclean.
  - C He who walks in the land of the gentiles in the hills or in rocks is unclean. In the sea or along the beach, he is clean.
  - D What is 'the beach'? Any place which the waves reach in a storm.
- **18:7** A He who buys a field in Syria, near the Land of Israel, if he can enter it in a state of cleanness, it is clean, and it is subject to the laws of tithes and the seventh year. If he cannot enter it in a state of cleanness, it is unclean, but it [still] is liable to the laws of tithes and of the seventh year.
  - B Dwelling places of gentiles [in the Land of Israel] are unclean.
  - C How long must [the gentiles] remain in them for them to require examination [to determine their status]? Forty days, even though there is no woman with him.
  - D And if a slave or an [Israelite] woman was watching over it, it does not require an examination.
- **18:8** A What do they examine? The deep drains and foul water.
  - B The House of Shammai say, "Also the rubbish heaps and loose dirt."
  - C And the House of Hillel say, "Any place which the pig or the weasel can reach does not require examination.
- **18:9** A Colonnades are not subject to the law applying to the dwellings of gentiles.
  - B Rabban Simeon b. Gamaliel says, "A city of gentiles which was laid waste is not subject to the law applying to the dwellings of gentiles."
  - C East of Qisrin and west of Qisarion [Caesarea Phillippi] are graveyards. [The area] east of Akko was in doubt, and sages declared it clean.
  - D Rabbi and his court voted concerning Qeni and declared it clean.
- **18:10** A Ten places are not subject to the law applying to the dwelling of gentiles: (1) tents of Arabs, (2) field huts, (3) tents, (4) fruit shelters, (5) summer houses, (6) a gatehouse, (7) the open space of a courtyard, (8) the bath, (9) an armory, and (10) the place of the legions.

## NEGAIM

- **1:1** A The appearances of plagues are two, which are four:
  - B (1) A bright spot is as bright-white as snow.
    - (2) And secondary to it is [a shade as white] as the lime of the Temple.
  - C (3) "And the swelling is [as white] as the skin of an egg.
    - (4) "And secondary to it is [a shade as white] as white wool," the words of R. Meir.
  - D And sages say, "(1) The swelling is [as white] as white wool. (2) Secondary to it is [a shade as white] as the skin of an egg."
- **1:2** A "The [reddish] mixture which is in the snow-white is like wine mixed in snow.

- B "The [reddish] mixture in the lime is like the blood which is mixed in milk," the words of R. Ishmael.
- C R. Aqiba says, 1."The reddishness which is in this and in this is like wine mixed in water.
- D 2."But that which is in snow-white is strong, and that which is in lime is duller than it."
- 1:3 These four appearances join together with one another— А (1) to clear [of uncleanness], and (2) to certify [the sign to be unclean], and (3) to shut up [quarantine for a week]: В (3) To shut up: That which stands [unchanged] at the end of the first week. С (1) To declare clear: That which stands [unchanged] at the end of the second week. D (2) And to certify: That in which quick flesh or white hair appears, (a) in the first instance, (b) at the end of the first week, (c) at the end of the second week, E (d) after the clearance. F (2) To certify: That in which a spreading appears, G (a) at the end of the first week, (b) at the end of the second week, (c) after the clearance. Η (2) *To certify:* That which turns entirely white (d) after the clearance. (1) To declare clear: Ι That which turns entirely white after the certification or after the shutting up. These are the appearances [colors] of plagues, upon which all plagues depend. J 1:4 R. Hananiah Prefect of the Priests says, "The appearances [colors] of plagues are sixteen." А R. Dosa ben Harkinas says, "The appearances of plagues are thirty-six." В Aqavya b. Mehallel says, "Seventy-two. С R. Hananiah Prefect of the Priests says, "They do not examine the plagues in the first D instance after the Sabbath [Sunday], for the end of that week will fall on the Sabbath; and not on the second day [Monday], for the end of its second week falls on the Sabbath; and not on the third day for houses, for the end of its third week falls on the Sabbath." E R. Agiba says, "At any time do they examine. [If] it [the next inspection] turns out to coincide with the Sabbath, they move [it] to after the Sabbath." F And there is in this matter [ground] to rule leniently and to rule strictly. 1:5 How to rule leniently? А (1) [If] there was in it white hair, and the white hair went away. В С (2) [If] they were white and turned black. (3) One was white and one was black, and they both turned black. D (4) [They were] long and became short. Ε F (5) One [was] long and one short, and both grew short. (6) A boil adjoined both of them, or (7) one of them. G (8) The boil surrounded them, or (9) one of them. Η (10) Or there divided them Ι J (a) a boil, (b) raw flesh of the boil, (c) the burning, (d) the raw flesh of the burning, and (e) the tetter. Κ (11) [If] there was in it raw flesh, and the raw flesh went away.

- L (12) [If] it was four-sided and became round or long.
- M [If] it was encompassed and shifted to one side.
- N (13) [If] it was gathered together and spread apart,
- O or the boil came and entered it.
- P (14) [If] it was encompassed, and there divided or diminished it
- Q (a) the boil, (b) the raw flesh of the boil, (c) the burning, (d) the raw flesh of the burning, and (e) the tetter.
- R (15) [If] there was a spreading in it and the spreading went away.
- S (16) Or if the primary sign went away, or (17) was diminished,
- T and (18) there is neither in this one nor in that one [as much as] a split bean.
- U (19) The boil, and the raw flesh of the boil, the burning, and the raw flesh of the burning, and the tetter divide the primary sign and the spreading.
- V Lo, these produce a lenient ruling.
- **1:6** A How to rule strictly?
  - B (1) There was not in it a white hair, and a white hair appeared in it.
  - C (2) They were black and turned white.
  - D (3) One [was] black and one white, and they both turned white.
  - E (4) They were short and grew long.
  - F (5) One was short and one was long, and they both grew long.
  - G (6) The boil joined both of them or (7) one of them.
  - H (8) The boil surrounded both of them, or (9) one of them. Or (10) there divided them—
  - I (a) the boil, and (b) the raw flesh of the boil, and (c) the burning and (d) the raw flesh of the burning, and (e) the tetter—
  - J and they went away.
  - K (11) There was no raw flesh in it, and raw flesh appeared in it.
  - L (12) It was round or long and became four-sided.
  - M [If it was] at the side and became encompassed.
  - N (13) It was scattered and became joined together,
  - O and the boil came and entered into it.
  - P (14) [There] surrounded it, divided it into half, or diminished it
  - Q (a) the boil, and (b) the raw flesh of the boil, and (c) the burning, and (d) the raw flesh of the burning, and (e) the tetter—
  - R and they went away.
  - S (15) There was no spreading in it, and spreading appeared in it.
  - T (16) The boil, and the raw flesh of the boil, and the burning, and the raw flesh of the burning, and the tetters divide between the primary sign and the spreading, and then go away—
  - U lo, these produce a more stringent ruling.
- A bright spot appears in a German as dim, and the dim in an Ethiopian as bright [white].
   B R. Ishmael says, "The children of Israel—I am their atonement!— lo, they are like boxwood, not dark and not white but intermediate."
  - C R. Aqiba says, 1."The artists have colors, with which they paint black, white, and intermediate figures.

2. "One brings an intermediate color and encompasses it on the outer perimeter, and it will then appear [as on one whose skin is] intermediate."

D R. Judah says, "The appearances [colors] of plagues are meant to produce a lenient decision, but not to produce a rigorous one.

- E "Let a German be examined in accord with his skin for a lenient decision; "and an Ethiopian [be judged] leniently by the intermediate color."
- F And sages say, "Both this one and that one [should be judged by the standard of color of] the intermediate [shade]."
- **2:2** A They do not examine the plagues at dawn and at sunset,
  - B and not inside the house,
  - C and not on a cloudy day, because the dim appears bright,
  - D and not at noon, because the bright appears dim.
  - E When do they examine?
  - F "At three, at four, at five, at seven, at eight, and at nine," the words of R. Meir.
  - G R. Judah says, "At four, at five, at eight, and at nine."
- **2:3** A A priest blind in one of his eyes, or whose eyes are dim, should not examine the plagues, as it is said, *In accord with the entire vision of the eyes of the priest* (Lev. 13:12).
  - B As to a dark house, they do not break open windows in it to examine its plague.
- **2:4** A How is the examination of the plague?
  - B The man is examined (1) like one who hoes,
    - C and (2) like one who harvests olives.
    - D The woman [is examined] (1) like one who rolls out bread,
    - E and (2) like one who gives suck to her child,
    - F and (3) like one who weaves at an upright loom, for the right hand.
    - G R. Judah says, "Also like one who spins flax, for the left [armpit]."
    - H Just as one is examined for his plague, so is he examined for his shaving.
- **2:5** A All plagues does a man examine, except for his own plagues.
  - B R. Meir says, "Also not the plagues of his relatives."
  - C All vows does a man release, except for his own vows.
  - D R. Judah says, "Also not the vows of his wife [so far as they apply to matters] between her and other people."
  - E All firstlings does a man examine, except for his own firstlings.
- **3:1** A All are made unclean by plagues—
  - 1. except for the gentiles and a resident alien.
  - B All are suitable to examine the plagues.
  - C But the [actual declaration of] uncleanness and cleanness is in the hands of a priest. 1. They say to him, "Say, 'Unclean, "' and he says, "Unclean"; "say, 'Clean, "' and he says, "Clean."
  - D They do not examine two plagues at one time, whether in one man or in two men.
    - 1. But one sees the one and shuts him up or certifies him or clears him, and goes back to the second.
  - E They do not shut up one who has been shut up, and they do not certify one who has been certified.
  - F They do not shut up one who has been certified, and they do not certify [unclean] one who has been shut up.
  - G But (1) in the beginning, (2) at the end of a week,

- H he who shuts [him] up shuts him up, or who certifies, certifies, shuts up and [or] pronounces clean, certifies and [or] pronounces clean.
- **3:2** A A bridegroom on whom a plague appeared
  - they give him the seven days of the marriage feast [before inspecting him]-
  - B him, and his house, and his garment.
  - C And so with respect to the festival: they give him all the days of the festival.
- **3:3** A The skin of the flesh is made unclean within two weeks and by three tokens. With white hair, and with quick flesh, and with spreading.
  - B With white hair and with quick flesh—
  - C in the beginning, or by the end of the first week, or by the end of the second week, after the [declaration of] clearance.
  - D And by spreading—
  - E at the end of the first week, and at the end of the second week, after the clearance.
  - F And it is made unclean within two weeks—
  - G which are thirteen days.
- **3:4** A The boil and the burning are made unclean in one week and with two tokens. With white hair and spreading.
  - B With white hair—
  - C in the beginning, at the end of the first week, after the clearance.
  - D And with spreading—
  - E at the end of a week, after the clearance.
  - F And they are made unclean within one week—
  - G which are seven days.

**3:5** A The scalls are made unclean in two weeks and with two signs.

- With golden thin hair, and with spreading.
- B With golden thin hair—
- C in the beginning, at the end of the first week, at the end of the second week, after the clearance.
- D And with spreading—
- E at the end of the first week, at the end of the second week, after the clearance.
- F And they are made unclean within two weeks—
- G which are thirteen days.
- **3:6** A The scalp baldness and forehead baldness are made unclean in two weeks and with two signs.
  - With quick flesh and with spreading.
  - B With quick flesh—
  - C at the beginning, at the end of the first week, at the end of the second week, after the clearance.
  - D And with spreading—
  - E at the end of the first week, at the end of the second week, after the clearance.
  - F And they are made unclean within two weeks—
  - G which are thirteen days.

- **3:7** A Clothes are made unclean in two weeks, and with three signs.
  - With a greenish color, and with a reddish color, and with spreading.
  - B With a greenish color and with a reddish color—
  - C in the beginning, at the end of the first week, and at the end of the second week, after the clearance.
  - D And with spreading—
  - E at the end of the first week, at the end of the second week, after the clearance.
  - F And they are made unclean within two weeks—
  - G which are thirteen days.
- **3:8** A The houses are made unclean in three weeks and with three signs.
  - With a greenish color and with a reddish color and with spreading.
  - B With a greenish color and with a reddish color—
  - C in the beginning, at the end of the first week, at the end of the second week, at the end of the third week, after the clearance.
  - D And with spreading—
  - E at the end of the first week, at the end of the second week, at the end of the third week, after the clearance.
  - F And they are made unclean within three weeks—
  - G which are nineteen days.
  - H Among plagues is none [which is shut up] less than one week and none more than three weeks.
- **4:1** A There are [strict rules applying] to white hair which do not [apply] to spreading, and there are [rules applying] to spreading which do not [apply] to white hair.
  - B For white hair (1) renders unclean in the first [inspection], and (2) renders unclean in any appearance [shade] of whiteness, and (3) no token of cleanness applies to it.
  - C There are [strict rules applying] to spreading, for the spreading (1) renders unclean in any size whatever, and (2) renders unclean in all plagues, (3) [though] outside the plague [itself], which is not the case for white hair [which must be encompassed by the bright spot]—
- **4:2** A There are [strict rules applying] to the quick flesh which do not apply to spreading, and there are [rules applying] to spreading which do not [apply] to quick flesh.
  - B For the quick flesh (1) renders unclean in the first [inspection], and
  - (2) renders unclean in any appearance [color], and (3) no token of cleanness applies to it.
  - C There are [rules applying] to spreading, for the spreading (1) renders unclean in any size whatever, and (2) renders unclean in all plagues, (3) [though] outside the plague, which is not the case with quick flesh.
- **4:3** A There are [strict rules applying] to white hair which do not [apply] to quick flesh, and there are [rules applying] to quick flesh which do not [apply] to white hair.
  - B For white hair (1) renders unclean in a boil or burning, (2) [whether] compacted [united] or dispersed, (3) encompassed or not encompassed.
  - C There are [rules applying] to quick flesh, for the quick flesh (1) renders unclean in scalp baldness or forehead baldness, (2) whether it was turned or whether it was not turned, and (3) hinders [cleanness] in him who has turned entirely white, and (4) renders unclean in any appearance, which is not so for white hair.

- 4:4 A Two hairs—
  - B their root is black and their head is white—
  - C he is clean.
  - D Their root is white and their head is black—
  - E he is unclean.
  - F How much whiteness must there be?
  - G Rabbi Meir says, "Any amount at all."
  - H R. Simeon says, "Sufficient to cut with scissors."
  - I [If] it was single below [at the root] and divided at the top, and it appears like two [hairs], he is clean.
  - J A bright spot—
  - K and in it is white hair or black hair—
  - L he is unclean.
  - M They do not take account of the possibility that the place of the lack hair has diminished the bright spot, because it is of no substance.
- **4:5** A A bright spot the size of a split bean—
  - B and a streak extends from it—
  - C if there is in it [the streak] the breadth of two hairs,
  - D it [the streak] subjects it [the bright spot] to [the restrictions in respect of] white hair and spreading, but not to [that in respect of] the quick flesh.
  - E Two bright spots, —
  - F and a streak goes forth from one to the other—
  - G if there is in it a breadth of two hairs,
  - H it joins them together. And if not, it does not join them together.
- **4:6** A A bright spot the size of a split bean—
  - B and with it is quick flesh the size of a lentil—
  - C and white hair is in the quick flesh—
  - D the quick flesh disappeared
    - it is unclean because of the white hair.
  - E The white hair disappeared—
  - F he is unclean because of the quick flesh.
  - G R. Simeon declares clean,
  - H because it did not cause [the hair to] turn.
  - I A bright spot—
  - J it and its quick flesh [are] the size of a split bean—
  - K and white hair [is] in the midst of the bright spot—
  - L the quick flesh disappeared—
  - M it is unclean because of the white hair.
  - N The white hair disappeared—
  - O he is unclean because of the quick flesh.
  - P R. Simeon declares clean,
  - Q because the bright spot the size of a split bean did not cause it [the hair] to turn [white].
  - R And he agrees that if there is in the place of the white hair a split bean, he is unclean.
- 4:7 A A bright spot—
  - B and with it are quick flesh and spreading—
  - C the quick flesh disappeared [after a week of quarantine]—

- D it is unclean because of the spreading.
- E The spreading disappeared—
- F it is unclean because of the quick flesh.
- G And so with white hair and with spreading.
- H [If] it disappeared and returned—at the end of the week, lo, this one is as it was.
- I [If it disappeared] after the clearance—it is examined as at the beginning.
- J [If] it was bright and became dim, dim and became bright, lo, it is as it was,
- K on condition that it not diminish [to a shade less] than the four appearances.
- L [If] it (1) contracted and spread, (2) spread and contracted—
- M R. Aqiba declares unclean.
- N And sages declare clean.
- **4:8** A A bright spot the size of a split bean—
  - B and it spread to the extent of a half split bean—
  - C and about half a split bean disappeared from the primary sign—
  - D R. Aqiba says, "It is inspected anew."
  - E And sages declare clean.
- **4:9** A A bright spot the size of a split bean—
  - B and it spread as much as another half split bean and more—
  - C and about half a split bean disappeared from the primary sign—
  - D R. Aqiba declares unclean.
  - E And sages declare clean.
  - F A bright spot the size of a split bean—
  - G and it spread for as much as a split bean and more—
  - H and the primary sign disappeared—
  - I R. Aqiba declares unclean.
  - J And sages say, "Let it be inspected anew."
- **4:10** A A bright spot the size of a split bean—
  - B and it spread to the extent of a split bean—
  - C and there appeared in the spreading quick flesh or white hair—
  - D but the primary sign disappeared—
  - E R. Aqiba declares unclean.
  - F And sages say, "Let it be inspected anew."
  - G A bright spot the size of a half split bean—
  - H and there is nothing in it—
  - I a bright spot the size of a half split bean appeared—
  - J and in it is one hair—
  - K lo, this is to be shut up.
  - L A bright spot the size of a half split bean—
  - M and in it is one hair—
  - N a bright spot about half a split bean in size appeared—
  - O and in it is one hair—
  - P lo, this is to be shut up.
  - Q A bright spot the size of a half split bean—
  - R and in it are two hairs—
  - S a bright spot the size of a half split bean appeared—
  - T and in it is one hair—

- U lo, this is to be shut up.
- **4:11** A A bright spot about the size of a half split bean—
  - B and there is nothing in it—
  - C a bright spot about the size of a half split bean appeared—
  - D and in it are two hairs—
  - E lo, this is to be certified [as unclean].
  - F For they have said, If the bright spot preceded the white hair, he is unclean, and if the white hair preceded the bright spot, he is clean.
  - G And if there is doubt, he is unclean.
  - H And R. Joshua was doubtful.
- **5:1** A Every doubt [concerning] plagues is [regarded as] clean,
  - B except for this one, and one other. And what is this?
  - C He on whom was a bright spot the size of a split bean, and one shut it up—
  - D at the end of one week—
  - E and behold, it is about the size of a *sela*—
  - F it is a doubt that this is it—
  - G it is a doubt that another has come in its place—
  - H he is unclean.
- **5:2** A One certified it through white hair—
  - B white hair went away—
  - C and white hair returned—
  - D and so with quick flesh and with spreading—
  - E in the first instance, at the end of the first week, at the end of the second week, after the clearance—
  - F lo, it is as it was.
  - G One certified it through quick flesh—
  - H and the quick flesh went away—
  - I and the quick flesh returned—
  - J and so with white hair and with spreading—
  - K in the first place, at the end of the first week, at the end of the second week, after the clearance—
  - L lo, it is as it was [unclean].
  - M One certified it unclean through spreading—
  - N the spreading went away—
  - O and the spreading returned—
  - P and so with white hair—
  - Q at the end of the first week, at the end of the second week, after the clearance—
  - R lo, it is as it was [unclean].
- 5:3 A Residuary hair—
  - B Aqavya b. Mahallel declares unclean.
  - C And sages declare clean.
  - D What is residuary hair?
  - E He on whom was a bright spot, and in it is a white hair,
  - F the bright spot went away, and left white hair in its place, and it came back—

- G Aqavya b. Mahallel declares unclean.
- H And sages declare clean.
- I Said R. Aqiba, "I agree in this case that he is clean.
- J "What is residuary hair?
- K "He on whom was a bright spot the size of a bean, and in it are two hairs—
- L "and about half a split bean went away from it, and left behind white hair in the place of the bright spot—
- M "and returned."
- N They said to him, "Just as they declared null the words of Aqavya, so your words are not confirmed."
- 5:4 A Every doubt concerning plagues in the first instance is clean
  - B before it has been subjected to uncleanness.
  - C Once it has been subjected to uncleanness, its [condition of] doubt is unclean.
  - D How so?
  - E Two who came to a priest—
  - F on this is a bright spot the size of a split bean—
  - G and on this one is a bright spot the size of about a *sela*—
  - H at the end of a week, on this one is [a bright spot the size of] about a *sela*, and on this about the size of a *sela*—
  - I and it is not known on which of them [the bright spot] has spread—
  - J whether with one man or with two men—it is clean.
  - K R. Aqiba says, "On one man, it is unclean, and on two men, it is clean."
- **5:5** A Once it has been subjected to uncleanness, its [condition of] doubt is uncleanness.
  - B How so?
  - C Two who came to a priest—
  - D on this is a bright spot the size of a split bean, and on this [a bright spot the size of] about a *sela*—
  - E at the end of a week, on this [the bright spot is the size of] about a *sela* and a bit more, and on this one [the bright spot is the size of] about a *sela* and a bit more—
  - F they are both unclean.
  - G Even though both return to the size of a *sela* and of a *sela*, they are both unclean,
  - H unless they return to the size of a split bean.
  - I This is the case concerning which they have said, "Once it has been subjected to uncleanness, its [condition of] doubt is unclean."
- 6:1 A The body [requisite space] of the bright spot is [not less than] a Cilician split bean squared.B The place of the split bean is nine lentils. The place of a lentil is four hairs. It comes out thirty-six hairs.
- 6:2 A A bright spot the size of a split bean—
  - B and in it is quick flesh the size of a lentil—
    - C the bright spot grew larger—it is unclean.
    - D It grew smaller [than a split bean]—it is clean.
    - E The quick flesh grew larger—it is unclean.
    - F It grew smaller—it is clean.

- 6:3 A A bright spot the size of a split bean—
  - B and in it is quick flesh *less than* the size of a lentil—
  - C the bright spot grew larger—it is unclean.
  - D It grew smaller—it is clean.
  - E The quick flesh grew larger—it is unclean.
  - F It grew smaller—
  - G R. Meir declares unclean.
  - H And sages declare clean,
  - I for the plague mark does not spread within itself.
- **6:4** A bright spot larger than a split bean—
  - B and in it is quick flesh larger than a lentil—
  - C they grew larger, or they grew smaller—they are unclean,
  - D on condition that they not grow smaller than the prescribed measure.
- **6:5** A A bright spot the size of a split bean
  - B and quick flesh the size of a lentil surrounds it—
  - C and outside of the quick flesh is a bright spot—
  - D the inner is to be shut up [having as yet no token of uncleanness], and the outer is to be certified unclean.
  - E Said R. Yose, "The quick flesh is not a sign of uncleanness for the outer one, since the [inner] bright spot is inside it."
  - F It [the quick flesh] grew smaller and went away—
  - G Rabban Gamaliel says, (1) "If it disappeared from the inner one, it is a sign of spreading for the inner one, but the outer one is clean.

(2) "And if from the outer one [side], the outer one is clean and the inner one is to be shut up."

- H R. Aqiba says, "One way or the other, it is clean."
- **6:6** A Said R. Simeon, "When? When it is the size of a lentil exactly.
  - B "It was greater than a lentil—
  - C "the excess is a token of spreading for the inner one, and the outer one is unclean.
  - D "It was a tetter less than a lentil—
  - E "it is a sign of spreading for the inner one, and there is no sign of spreading for the outer one."
- **6:7** A Twenty-four tips of limbs in man which are not susceptible to uncleanness because of quick flesh:
  - B the tips of the joints of hands and feet,
  - C and the tips of the ears,
  - D and the tip of the nose,
  - E and the tip of the penis.
  - F And the tips of the breasts which are in the woman.
  - G R. Judah says, "Also of the man."
  - H R. Eliezer says, "Also the warts and the wens are not susceptible to uncleanness because of quick flesh."
- **6:8** A These are places in man which are not susceptible to uncleanness because of a bright spot:

- B (1) inside the eye, (2) inside the ear, (3) inside the nose, (4) inside the mouth;
- C (5) wrinkles;
- D (6) and the wrinkles of the neck;
- E (7) under the breast;
- F (8) and the armpit;
- G (9) the sole of the foot;
- H (10) the nails.
- I (11) The head,

L

- J (12) and the beard;
- K the boil, and the burning, and the blister that are festering [not covered by a scab],
  - (1) are not susceptible to uncleanness because of plagues;
    - and (2) do not join together with plagues;
      - and (3) the plague does not spread into them;
    - and (4) they are not susceptible to uncleanness because of quick flesh; and (5) they do not hinder [the cleanness of] the one who turns entirely white.
- M The head and the beard became bald,
- N the boil, and the burning, and the blister formed a scar,
- O (1) lo, these are susceptible to uncleanness through plagues;
  - (2) but they do not join together with plagues;
  - and (3) the plagues do not spread into them;
    - and (4) they are not susceptible to uncleanness because of quick flesh;
  - (5) but they do hinder [the cleanness of] the one who turns wholly white.
- P The head and the beard before they have grown hair and the wens on the head or the beard are adjudged like the skin of the flesh.
- **7:1** A These are clean bright spots:
  - 1. [Those] which were on him before the giving of the Torah,
  - 2. on the gentile, and he converted,
  - 3. on the child, and it was born,
  - 4. on a crease, and it was unfolded, ,

5. (a) on the head, and (b) on the beard, (c) on the festering boil, and (d) (on the) burning, and (e) (on the) blister.

- B 1. The head and the beard became bald,
  - 2. the boil and the burning and the blister formed a scab,
  - 3. they are clean.
- C 1. The head and the beard before they have put forth hair—
  - 2. they put forth hair—
  - 3. and became bald—
- D 1. the boil and the burning and the blister before they have formed a scab—
  - 2. they formed a scab—
  - 3. and became quick flesh—
- E R. Eliezer b. Jacob declares unclean,
- F for at their beginning and at their end it is unclean.
- G And sages declare clean.
- 7:2 A Their appearance [color] changed—
  - B whether to produce a lenient decision or to produce a stringent decision—
  - C How to produce a lenient decision?

It was as white as snow and became as white as the lime of the Temple; as white as white wool and as white as the skin of an egg and became [as white as] the second shade of a swelling or the second shade of bright white.

- D How to produce a stringent decision?It was as white as the skin of an egg and became as white as wool, as white as the lime of the Temple and as white as snow.)
- E R. Eleazar b. Azariah declares clean.
- F R. Eleazar Hisma says, "To produce a lenient decision—it is clean. And to produce a strict decision—let it be examined as in the beginning."
- G R. Aqiba says, "Whether to produce a lenient decision or to produce a strict decision—let it be examined as in the beginning."
- 7:3 A A bright spot—

and in it there is nothing-

- B in the first instance, at the end of the first week let him be shut up.
- C at the end of the second week, after clearance let him be clear.
- D He is in the process of shutting him up or pronouncing clear—
- E and tokens of uncleanness appear in it—
- F let him be certified.
- G A bright spot—
- H and in it are tokens of uncleanness—
- I let him be certified.
- J He is still in the process of certifying him and the tokens of uncleanness go away—
- K in the first instance, at the end of the first week—let him be shut up.
- L At the end of the second week, after the clearance—let him be clear.
- **7:4** A He who removes the tokens of uncleanness or cauterizes the quick flesh transgresses a negative rule.
  - B And as to cleanness?
  - C [If he does so] before he comes to the priest, he is clean.
  - D [If he does so] after his certification [of uncleanness], he is unclean.
  - E Said R. Aqiba, "I asked Rabban Gamaliel and R. Joshua, en route to Gadvad, '[If he does so] during his quarantine, what is the law?'
  - F "They said to me, 'We have not heard. But we have heard, 'Before he comes to the priest, he is clean. After his certification, he is clean.'
  - G "I began to bring proofs to them."
  - H (1) Whether [one does so when he] stands before the priest, and (2) [whether one does so when he] is in the midst of his quarantine he is clean,

before the priest declares him unclean.

- I When is his purification?
- J R. Eliezer says, "When another plague will be born on him, and he will become clean from it."
- K And sages say, (1) "Until it will spread over his entire [body]," or (2) until his bright spot will diminish to less than the size of a split bean."
- **7:5** A He on whom was a bright spot and it was cut off it is clean.

- B He intentionally cut it off—
- C R. Eliezer says, "When another plague is born on him, and he becomes clean of it."
- D And sages say, "Until it spreads over him."
- E It was on the tip of his foreskin—
- F let him be circumcised.
- 8:1 A That which breaks forth from the unclean is clean.
  - B The tips of the limbs reappeared with it—he is unclean,
  - C until his bright spot diminishes to less than the size of a split bean.
  - D From the clean—he is unclean.
  - E The tips of the limbs reappeared with it—he is unclean,
  - F until his bright spot returns to the size in which it had previously been.
- 8:2 A A bright spot the size of a split bean—
  - B and in it is quick flesh the size of a lentil—
  - C it broke forth over his entire [body]—
  - D and afterward the quick flesh went away—
  - E or the quick flesh went away—
  - F and afterward it [the spot] broke forth over his entire [body]—
  - G he is clean.
  - H Quick flesh appeared in him—
  - I he is unclean.
  - J White hair appeared in him—
  - K R. Joshua declares unclean.
  - L And sages declare clean.

## 8:3 A A bright spot—

- B and in it is white hair—
- C it broke forth over his entire [body]—
- D even though white hair is in its place [not having spread]—
- E he is clean.
- F A bright spot,
- G and in it is spreading—
- H he is clean.
- I And in all cases in which the tips of the limbs reappear with them, lo, these are unclean.
- J [If] it broke forth over part of him, he is unclean. If it broke forth over his entire [body], he is clean.
- **8:4** A All breaking forth over the tips of the limbs, in which the breaking forth over them made an unclean person clean—
  - B when they reappear,
  - C they are unclean.
  - D All breaking forth over the tips of the limbs, in which the breaking forth over them made a clean person unclean—
  - E [when] they are covered up,
  - F he is clean;
  - G [and when] they are uncovered, he is unclean,
  - H even a hundred times.

- **8:5** A Whatever is susceptible to be made unclean through the plague of the bright spot hinders the breaking forth [over the entire body which marks the person as clean].
  - B Whatever is not susceptible to be made unclean through the plague of a bright spot does not hinder the breaking forth [over the entire body which marks the person as clean].
     C How so?
  - C How so?
  - D [If] it broke forth over his entire [body] but not over the head, the beard, the boil, the burning, and the blister which are festering,
  - E [if then] the head, and the beard became bald,
  - F the boil, , and the burning, and the blister formed a scab—
  - G they are clean.
  - H [If] it broke forth over the entire body,
  - I but not over half of a lentil's area which is near the head, the beard, the boil, the burning, and the blister—

[then] the head and the beard went and became bald—

- J the boil, and the burning, and the blister went and formed a scab—
- K even though the place of the quick flesh became a bright spot—
- L he is unclean,
- M until it will break forth over his entire [body].
- **8:6** A Two bright spots—
  - B one unclean and one clean—
  - C it broke forth from this to this—
  - D and afterward it broke out over his entire body—
  - E he is clean.
  - F [Supply: If there were two bright spots, each the size of half a split bean]—
  - G [one] on his upper lip, [the other] on his lower lip,
  - H on two of his fingers,
  - I on two eyelids,
  - J even though they cleave to one another, and they appear as one,
  - K he is clean.

С

- L [If] it broke forth over his entire body but not on the tetter, he is unclean.
- M The tips of the limbs reappeared, [leaving a] kind of a tetter—he is clean.
- N [If] the tips of the limbs reappeared [leaving] less than a lentil—
- O R. Meir declares unclean.
- P And sages say, "A tetter less than a lentil in area is a token of uncleanness in the first instance, and it is not a token of uncleanness at the end."
- **8:7** A He that comes entirely white—let him be shut up.
  - B White hair was born on him—let him be certified [unclean].
    - 1. Two of them turned black, or one of them—
      - 2. two of them became short, or one of them—
        - 3. the boil adjoined two of them, or one of them-
        - 4. the boil encompassed two of them-
        - 5. or divided them —
  - D the boil, and the quick flesh of the boil, the burning, and the quick flesh of the burning, and the tetter—
  - E [and then] quick flesh appeared in him, or white hair—he is unclean.
  - F Neither quick flesh nor white hair appeared in him—he is clean.

- G And in all instances in which the tips of the limbs reappeared with them, lo, these are as they were.
- H [If] it broke forth over part of him, he is unclean.
- I [If] it broke forth over all of him, lo, he is clean.
- **8:8** A If it broke forth over all of him at one instant—
  - B during a state of cleanness, he is unclean.
  - C During a state of uncleanness, he is clean.
  - D The one who is declared clean after the quarantine is free of the obligation of loosening the hair and rending the clothes and from the shaving and from the birds.
  - E [And he who is declared clean] after certification of cleanness is liable for all of them.
  - F This and this render unclean by coming [into a house].
- **8:9** A He who comes [before the priest] when he is entirely white,
  - B and on him is quick flesh the size of a lentil—
  - C it broke forth over all of him—
  - D and afterward the tips of the limbs reappear—
  - E R. Ishmael says, "It is like the restoration of the tips of the limbs in the case of a large bright spot."
  - F R. Eleazar b. Azariah says, "It is like the restoration of the tips of the limbs in the case of a small bright spot."
- **8:10** A (1) There is a man who shows his plague to the priest and is rewarded, and (2) there is a man who shows his plague [to the priest] and loses out.
  - B How so?
  - C He who was certified unclean, and the tokens of uncleanness went away—
  - D he did not have time to show it to the priest before it broke forth over his entire body—
  - E he is clean.
  - F For if he had shown it to the priest, he would have been unclean.
  - G A bright spot—
  - H and there is nothing in it—
  - I he did not have time to show it to the priest before it broke forth over his entire body—
  - J he is unclean.
  - K For if he had shown it to the priest, he would have been clean.
- **9:1** A "The boil and the burning are made unclean in one week, with two signs: with white hair and with spreading."
  - B What is the boil?
  - C One was hurt (1) by a stick or (2) by a stone or (3) by olive peat or (4) by Tiberias water—
  - D (5) whatever is not on account of the fire—lo, this is a boil.
  - E What is a burning?
  - F One was burned by a coal or by an ember—
  - G whatever is on account of the fire—lo, this is a burning.
- **9:2** A The boil and the burning do not join together,
  - B and do not spread from one to the other,
  - C and do not spread to the skin of the flesh,
  - D nor does the skin of the flesh spread to them.

- E [If] they were festering, they are clean.
- F [If] they formed a scale as thick as a garlic peel, lo, this is the scab [scar] of the boil which is mentioned in the Torah [Lev. 13:23].
- G They went and formed quick flesh, even though there is a cicatrix in their place, they are adjudged as skin of the flesh [Lev. 13:3].
- **9:3** A They asked R. Eliezer, "He on the inside of whose hand a bright spot the size of the sela arose, and the place of which becomes a scab of the boil [so that the scar is no longer visible]—[what is the law]?"
  - B He said to them, "He should be shut up."
  - C They said to him, "Why?
    - (1) "It is not an appropriate place to grow white hair.
    - (2) "And as to spreading, it does not spread [to cause uncleanness].
    - (3) "And it is not made unclean through quick flesh."
  - D He said to them, "Perhaps it will contract and spread."
  - E They said to him, "And is not its place the size of a split bean?"
  - F He said to them, "I have not heard."
  - G Said to him R. Judah b. Beterah, "May I teach concerning it?"
  - H He said to him, "If it is to support the words of sages, yes."
  - I He said to him, "Perhaps there will be born another boil outside of it [the one there, which is shut up], and it [the one there] will spread into it [the new one]."
  - J He said to him, "You are a great sage, for you have supported the words of sages."
- **10:1** A "The scalls are made unclean in two weeks and through two signs:
  - B "through thin golden hair and through spreading."
  - C "Through thin golden hair"—
  - D "Thin—so diseased that it is short," the words of R. Aqiba.
  - E R. Yohanan b. Nuri says, "Even long."
  - F Said R. Yohanan b. Nuri, "What is the language which they use: 'This stick is thin, ' or 'this reed is thin'? 'Thin' because it is so diseased that it is short, or 'thin' because it is so diseased that it is long?"
  - G Said to him R. Aqiba, "Instead of learning the matter from the reed, let us learn it from [what people say when speaking of] the hair: 'The hair of so—and so is thin'—[meaning,] stunted thin— short; not stunted thin—long."
- **10:2** A Thin golden hair renders unclean—
  - (1) when clustered together and dispersed [side by side or far apart];
  - (2) encompassed and not encompassed;

"(3) whether already turned or not turned," the words of R. Judah.

- B R. Simeon says, "It [golden hair] renders unclean only if it had turned golden after the scall appeared."
- C Said R. Simeon, "And it is logical. If white hair, from the power of which other hair does not afford protection, does not render unclean except when it [the bright spot] came before [the white hair], thin golden hair, from the power of which other hair does afford protection, all the more so will render unclean only turned."
- D R. Judah says, "Every place in which it was necessary to say *it comes after* [in Scripture], it is said, *If it comes* [be changed] *after*. But the scall, concerning which it is said (Lev. 13:32), *And there be in it no golden hair*, renders unclean turned or not turned."

- **10:3** A [Black hair] which grows up [in the scall] affords protection from the power of golden hair and from the power of spreading,
  - B (1) clustered together or dispersed, (2) encompassed or not encompassed.
  - C And that [black hair] which is left affords protection from the power of golden hair and from the power of spreading,
  - D clustered together or dispersed, or encompassed.
  - E But it does not afford protection on the side,
  - F until it is two hairs distant from that which is standing.
  - G Two hairs—
  - H one was golden and one was black—
  - I one was golden and one was white—
  - J they do not afford protection.
- **10:4** A White hair which preceded the scall is clean.
  - B R. Judah declares [it] unclean.
  - C R. Eliezer b. Jacob says, "It does not render unclean, and it does not afford protection."
  - D R. Simeon says, "Whatever is not a token of uncleanness in the scall, lo, this is a token of cleanness in the scall."
- **10:5** A How do they shave the scall?
  - B One shaves outside it and leaves two hairs near it,
  - C so that it may be discerned whether it has spread.
  - D One has certified it unclean with golden hair—
  - E the golden hair went away—
  - F the golden hair returned—
  - G and so with spreading—
  - H in the first instance, at the end of the first week, at the end of the second week, after the clearance—
  - I lo, this is as it was.
  - J One certified it unclean through spreading—
  - K and the spreading went away—
  - L and the spreading returned—
  - M and so with golden hair—
  - N at the end of the first week, at the end of the second week, after the clearance—
  - O lo, this is as it was.
- **10:6** A Two scalls, one beside the other—
  - B a line of hair separated them—
  - C a gap appeared in one place—
  - D it is unclean.
  - E In two places—
  - F it is clean.
  - G How large must the gap be?
  - H A place of two hairs.
  - I A gap formed in one place the size of a split bean—
  - J it is unclean.
- **10:7** A Two scalls, one inside the other—

- B a line of hair separates them—
- C there was a gap in one place—
- D it is unclean.
- E In two places—
- F it is clean.
- G How much must the gap be?
- H A place of two hairs.
- I [If there was] a gap in one place the size of a split bean,
- J it is clean.
- **10:8** A He on whom was a scall, and in it [was] golden hair, is unclean.
  - B Black hair appeared on it—
    - C he is clean.
  - D Even though the black hair went away, he [nonetheless still] is clean.
  - E R. Simeon b. Judah says in the name of R. Simeon, "Every scall which was clean for one moment is never again subject to uncleanness."
  - F R. Simeon says, "All golden hair which was clean for one moment is never again subject to uncleanness."
- **10:9** A He on whom was a scall the size of a split bean, and his entire head became covered with scalls is clean.
  - B "The head and the beard do not hinder one another," the words of R. Judah.
  - C R. Simeon says, "They do hinder one another."
  - D Said R. Simeon, "And it is logical. If the skin of the face and the skin of the body, between which something else intervenes, hinder one another, the head and the beard, between which something else does not intervene— is it not logical that they should hinder one another?"
  - E The head and the beard do not join together,
  - F and do not spread from one to the other.
  - G What is the beard? From the cheek joint of the jaw to the knob of the windpipe.
- **10:10** A "Scalp baldness, and forehead baldness render unclean in two weeks and with two signs;
  - B "with quick flesh and with spreading."
  - C What is the scalp baldness?
  - D One ate *neshem*, (or) one applied *neshem*—
  - E a wound which is not able to produce hair.
  - F What is forehead baldness?
  - G From the crown sloping backwards to the protruding cartilage of the neck.
  - H Scalp baldness and forehead baldness (1) do not join together and (2) do not spread from one to the other.
  - I R. Judah says, "If there is hair between them, they do not join together, and if not, lo, these do join together."
- **11:1** A All garments are susceptible to uncleanness through plagues,
  - B except those of gentiles.
  - C He who buys clothing from the gentiles—
  - D let them be examined afresh.
  - E And skins of the sea are not susceptible to uncleanness through plagues.

- F [If] one connected to them [fabric] from that which grows on the land,
- G even a thread,
- H even a cord,
- I something which is susceptible to uncleanness,
- J it is susceptible to uncleanness.
- **11:2** A Camel's hair and sheep's wool which one hackled together—
  - B if the larger part is from the camels, they are not susceptible to uncleanness through plagues.
  - C If the larger part is from the sheep, they are susceptible to uncleanness through plagues.
  - D Half and half they are susceptible to uncleanness through plagues.
  - E And so the flax and the hemp which one hackled together.
- **11:3** A "The hides and clothing which are colored are not susceptible to uncleanness through plagues.
  - B "The houses, whether colored or not colored, are susceptible to uncleanness through plagues, "
  - C the words of R. Meir.
  - D R. Judah says, "The hides are like the houses."
  - E R. Simeon says, "Those things which are colored naturally are susceptible, and those things which are colored by man are not susceptible to uncleanness."
- 11:4 A A garment, the warp of which is colored, and the woof of which is white—
  - B the woof of which is colored and the warp of which is white—
    - C everything follows the status of what appears.
    - D The garments are made unclean by the greenest of green [shades], and by the reddest of red [shades].
    - E [If] it was green and spread red, red and spread green, it is unclean.
    - F [If] it[s color] changed and spread—
    - G changed and did not spread—
    - H it is as if it did not change.
    - I R. Judah says, "Let it be examined afresh."
- **11:5** A That which stands [unchanged] in the first [week]—let it be washed and shut up.
  - B That which stands [unchanged] in the second [week]—let it be burned.
  - C That which spreads in this [first week] or in this [second week] is to be burned.
  - D That which became faint in the beginning [before the first inspection]—
  - E R. Ishmael says, "Let it be washed and shut up."
  - F And sages say, "It is not subject to it."
  - G That which grows faint in the first [week]—
  - H let it be washed and shut up.
  - I That which grows faint in the second [week]—
  - J one tears it off and burns what he has torn off.
  - K And it requires a patch.
  - L R. Nehemiah says, "It does not require a patch."
- **11:6** A A plague returned to the garment—
  - B it affords protection to the patch.

- C A plague returned to the patch—
- D one burns the garment.
- E He who attaches part of something which has been shut up onto the clean [garment]—
- F a plague recurred on the garment—
- G one burns the patch.
- H [If] it recurred on the patch—
- I the first garment is burned.
- J And the patch may serve the second garment with signs.
- **11:7** A (1) A summer garment which has colored and white checks (2) they spread from one [white] to another [white square].
  - B They asked R. Eliezer, "And lo, it is a distinctive check?"
  - C He said to them, "I have not heard."
  - D Said to him R. Judah b. Beterah, "May I teach concerning it?"
  - E He said to him, "If to confirm the words of sages, yes."
  - F He said to him, "Perhaps it will remain on it for two weeks, and that which stands on garments for two weeks is unclean."
  - G He said to him, "You are a great sage, for you have confirmed the words of sages."
  - H The spreading which is near—
  - I in any measure at all.
  - J That which is distant—the size of a split bean.
  - K And that which returns—
  - L the size of a split bean.
- **11:8** A The warp and woof are subject to the uncleanness through plagues forthwith.
  - B R. Judah says, "The warp—when it has been boiled. And the woof forthwith."
  - C And bundles of flax—after they have been bleached.
  - D How much must there be in the coil [of spun thread] for it to be susceptible to uncleanness through plagues?
  - E Sufficient to weave from it [a piece of cloth] three fingerbreadths—by—three fingerbreadths, warp and woof,
  - F even if it is wholly woof,
  - G even if it is wholly warp.
  - H [If] it was broken threads, it is not susceptible to uncleanness through plagues.
  - I R. Judah says, "Even if the thread was broken in only one place and one knotted it, it is not susceptible to uncleanness."
- **11:9** A One who winds [thread]—
  - B from one coil to another,
  - C from one spool to another,
  - D from the upper beam to the lower beam,
  - E and so, two wings of a shirt [held together by a single thread]—
  - F on one of which a plague appeared—
  - G lo, the second is clean.
  - H [If it was] in the loose woof, and [or] in the standing warp—
  - I lo, these are susceptible to uncleanness through plagues forthwith.
  - J R. Simeon says, "The warp, if it was closely ordered, is susceptible to uncleanness."

- **11:10** A It [a leprosy sign] appeared on the standing warp—
  - B the web is clean.
  - C [If] it appeared on the web, the standing warp is clean.
  - D [If] it appeared on the sheet, one burns the fringes.
  - E [If] it appeared on the fringes, the sheet is clean.
  - F A shirt on which a plague has appeared—
  - G it affords protection to the hems which are in it—
  - H even if they are purple [wool].
- **11:11** A Whatever is susceptible to be made unclean through corpse uncleanness, even though it is not susceptible to be made unclean through *midras*, is susceptible to uncleanness through plagues.
  - For example:

В

- (1) the sail of the ship,
  - (2) and a veil,
  - (3) and foreheadband of a hairnet,
  - (4) and the wrappings of scrolls,
  - (5) and a girdle;
- C and the thongs of a shoe and sandal
- D which are as wide as a split bean—
- E lo, these are susceptible to uncleanness through plagues.
- F A coarse woolen blanket on which a plague appeared—
- G R. Eliezer b. Jacob says, "Until it will appear [both] on the web and on the soft surface wool."
- H The waterskin and shepherd's leather wallet are examined in accord with their normal way.
- I And it spreads from its inside to its outer surface, and from its outer surface to its inside.
- 11:12 A A garment which has been shut up which was mixed up among others [which are clean]— B they are all clean.
  - C [If] one cut it [a garment which has been shut up] up and made it into [woolen] shreds, it is clean, and one is permitted to enjoy benefit from it.
  - D And that which was certified unclean which was mixed up with others—
  - E they all are unclean.
  - F [If] one cut it up and made it into shreds, it is unclean, and one is prohibited from enjoying benefit from it.
- **12:1** A All houses are susceptible to uncleanness through plagues, except those of gentiles.
  - B He who buys houses from the gentiles—they are inspected afresh.
    - C (1) A round house, (2) a three-cornered house, (3) a house that is built on a ship, or (4) on a raft, [or] (5) on four beams, is not susceptible to uncleanness through plagues [since it is not resting on the ground].
    - D (1) And if it was four-sided, (2) even on four pillars, it is susceptible.
- 12:2 A A house, one of the sides of which is covered with marble—
  - B [it is] all the same whether rock or bricks or earth—
    - C is clean.
    - D A house in which were not stones and wood and dirt, and in which a plague mark appeared, and to which afterward one brought rocks and wood and dirt, is clean.

- E And so: a garment in which one did not weave three-by-three finger breadths, and in which a plague mark appeared, and in which afterward one wove three-by-three fingerbreadths, is clean.
- F The house is not made unclean with plagues until there will be in it stones and wood and dirt.
- **12:3** A And how many stones must there be in it?
  - B R. Ishmael says, "Four."
  - C R. Aqiba says, "Eight."
  - D For R. Ishmael used to say, "Until [tokens of uncleanness of the size of two split beans will appear on *two stones*—or on one stone."
  - E R. Aqiba says, "Until [tokens of uncleanness of the size of] two split beans will appear on *two stones—not* on one stone."
  - F R. Eleazar b. R. Simeon says, "Until [a spot the size of] two split beans will appear on *two stones*—on two walls in the corner."
  - G Its length is two split beans, and its width a split bean.
- **12:4** A Wood:
  - B Sufficient to put under the lintel.
  - C R. Judah says, "Sufficient to make a sandal [support] for the back of the lintel."
  - D Dirt:
  - E Sufficient to place [to fill up the space] between one row [of boards or of stones] and another.
  - F The walls of the cattle stall and the walls of the partition are not susceptible to uncleanness through plagues.
  - G Jerusalem and foreign territory are not susceptible to uncleanness through plagues.
- **12:5** A How is the inspection of the house [carried out]?
  - B Then he who owns the house shall come and tell the priest, saying, 'There seems to me to be some sort of disease in my house' (Lev. 14:35).
  - C Even a disciple of a sage, knowing that it certainly is a plague, will not decisively state, "A plague has appeared to me in the house," but, "Something like a plague has appeared to me in the house."
  - D Then the priest shall command that they empty the house before the priest goes to examine the disease, lest all that is in the house be declared unclean: and afterward the priest shall go in to see the house (Lev. 14:36)—
  - E "and even bundles of wood, and even bundles of reeds," the words of R. Judah.
  - F R. Simeon says, "That is work in connection with emptying [the house]."
  - G Said R. Meir, "And what of his property does it render unclean? If you say, his wooden objects and his clothing and his metal objects—he immerses them and they are clean.
  - H "For what has the Torah shown concern?
  - I "For his [clay] utensils, his cruse, and his ewer.
  - J "If thus the Torah has shown concern for his humble possessions, all the more so for cherished possessions.
  - K "If thus for his property, all the more so for the soul of his sons and his daughters.
  - L "If thus for the evil person, how much the more so for the righteous person."

- 12:6 A He does not go into his own house and [from there] shut up [the other house], nor into the house in which the plague is located and shut it up. But he stands at the door of the house in which the plague is located and shuts it up,
  - B as it is said, Then the priest shall go out of the house to the door of the house, and shut up the house seven days (Lev. 14:38).
  - C He comes at the end of the week and sees if it spread.
  - D Then the priest shall command that they take out [dismantle] the stones in which is the disease and throw them into an unclean place outside the city (Lev. 14:40).
  - E Then they shall take other stones and put them in the place of those stones. And he shall take other plaster and plaster the house (Lev. 14:40).
  - F He does not take stones from this side and bring them to that side, and not dirt from this side and bring it to that side, and not lime from any place.
  - G He does not bring one [stone] for [to replace] two, nor two for one, but he brings two for two, for three, for four.
  - H On this basis have they said, "Woe to an evil person. Woe to his neighbor."
  - I The two of them tear down the stones, the two of them scrape the walls, the two of them bring stones.
  - J But he alone brings the dirt.
  - K As it is said, And he shall take other plaster and plaster the house (Lev. 14:40).
  - L His fellow does not join with him in the plastering.
- **12:7** A He comes at the end of a week and sees if it returned:
  - B And he shall break down [demolish] the house, its stones and timber and the plaster of the house, and he shall carry them forth out of the city to an unclean place (Lev. 14:45).
  - C Spreading which is near—in any measure.
  - D And that which is distant—the size of a split bean.
  - E And that which returns in houses—two split beans.
- **13:1** A There are ten [conditions which develop concerning plagues in] houses:
  - B 1. That which grows dim in the first [week],
    - 2. and that which disappears—
  - C one scrapes it and it is clean.
  - D 1. That which grows dim in the second [week],
    - 2. and that which goes away
  - E one scrapes it, and it requires [a pair of] birds.
  - F That which spreads in the first [week]—
  - G one takes down [the stone] and scrapes, [and another stone is put in its place], and one plasters [it], and one gives it a week.
  - H [If] it returned, it [the house] is torn down.
  - I [If] it did not return, it requires birds.
  - J It stood [in place] in the first week and spread in the second—
  - K one takes down [the stone] and scrapes [it], and [another stone is put in its place, and] one plasters [it] and one gives it a week.
  - L [If it returned, it is torn down.
  - M [If it did not return, it requires birds.
  - N It stood [in one place] in this [week] and in this [week]—
  - O one takes down [the stone] and scrapes [it] and [another stone is put in its place, and] one plasters [it], and one gives it a week.
  - P [If] it returned, it is torn down.

- Q [If] it did not return, it requires birds.
- R If before one completed its purification with birds, a plague appeared in it, lo, this is to be torn down.
- S And if, after one completed its purification with birds, a plague appeared in it,
- T it is examined afresh.
- **13:2** A The stone which is in the corner [shared by two walls, one serving one house, the other serving the neighbor's house]—
  - B when he takes [it] out, he takes the whole [stone] out.
  - C And when he tears [it] down, he tears down that which is his, but leaves that which belongs to his neighbor.
  - D It comes out [that the rule is] more strict in connection with taking out than pulling down.
  - E R. Eleazar says, "A house which is built with [walls having alternative courses of] great stones and small stones—
  - F "it appears on a great stone—
  - G "one removes the entire thing.
  - H "It appears on the small stone—
  - I "one removes that which belongs to him, and leaves that which belongs to his fellow."
- **13:3** A A house on which a plague appears—
  - B there was an upper room on top of it—
  - C one assigns the beams to the upper room.
  - D It appeared in the upper room—
  - E one assigns the beams to the house.
  - F There was no upper room on top of it—
  - G its stones and its wood and its dirt are torn down with it.
  - H And one saves the frames and the window lattices.
  - I R. Judah says, "The frame which is built on top of it is torn down with it."
  - J And its stones and its wood and its dirt render unclean in the quantity of an olive's bulk.
  - K R. Eleazar Hisma says, "In any quantity at all."
- **13:4** A A house which is shut up renders unclean on its inside.
  - B And one which is certified unclean [renders unclean] inside and outside.
  - C This and this render unclean through [one's] coming [inside them].
- **13:5** A He who builds [using building materials] from that which is shut up for [building into a structure which is] clean,
  - B and the plague returned to the house [which was shut up]—
  - C one takes the stones out [of the clean house].
  - D It returned on the stones [taken from the quarantined house]—
  - E the first house is torn down.
  - F And the stones will serve the second house [for the purpose of inspecting whether] tokens [of uncleanness recur on the second house in which the leprosy sign is taken as having occurred for the first time].
- **13:6** A "A house which shades a house which bears the plague,
  - B "and so a tree which shades a house which bears the plague—
  - C "he that enters the outer [house] is clean, "

- D the words of R. Eleazar b. Azariah.
- E Said R. Eleazar, "If a single stone from it renders unclean by entering it, will not the house itself not render unclean by entering in?"
- **13:7** A The unclean [person] stands under the tree, and the clean person passes
  - B he is unclean.
  - C The clean person stands under the tree, and the unclean passes—
  - D he is clean.
  - E If he stood, he is unclean.
  - F And so with the stone which is afflicted with plague—he is clean.
  - G And if he put it down, lo, this one is unclean.
- **13:8** A A clean person who put his head and the greater part of his body inside an unclean house is made unclean.
  - B And an unclean person who put his head and the greater part of his body inside a clean house has made it unclean.
  - C A clean cloak, three-by-three fingerbreadths of which one put inside an unclean house, is made unclean.
  - D And an unclean [cloak], any [size] piece, even an olive's bulk, of which one put inside a clean house—it [the cloak] has rendered it [the house] unclean.
- **13:9** A He who entered a house afflicted with plague,
  - B with his garments over his shoulder, and his sandals and rings in his hands—
  - C he and they are unclean forthwith.
  - D He was dressed in his garments, with his sandals on his feet and his rings on his fingers he is unclean forthwith.
  - E But they are clean until he will remain for a time sufficient to eat a piece of bread—
  - F a piece of bread of wheat, and not a piece of bread of barley—
  - G reclining and eating it with condiment.
- **13:10** A He was standing inside [an unclean house] but put his hand outside, with his rings on his fingers,
  - B if he remained for a time sufficient to eat a piece of bread,
  - C they are unclean.
  - D He was standing outside [an unclean house], and put his hand inside, with his rings on his fingers—
  - E R. Judah declares [them] unclean forthwith.
  - F And sages say, "[They are clean] until he will remain for a time sufficient for eating a piece of bread."
  - G They said to R. Judah, "If, when his entire body is unclean, he has not rendered unclean that which is on him until he will remain for a time sufficient to eat a piece of bread, when his entire body is not unclean, is it not logical that he should not render what is on him unclean until he remains for a time sufficient to eat a piece of bread?"
- **13:11** A A leper who entered the house—
  - B all the utensils which are there are unclean—
  - C even up to the beams.
  - D R. Simeon says, "Up to four cubits."

- E Utensils are unclean forthwith.
- F R. Judah says, "If he remained for a time sufficient to light the candle."
- **13:12** A [If] he entered the synagogue,
  - B they make a partition for him ten handbreadths high by four cubits wide.
  - C He enters first and leaves last.
  - D "Whatever affords protection with a tightly sealed cover in the Tent of the corpse affords protection with a tightly sealed cover in the house which has a plague, and whatever affords protection merely by being covered over in the Tent of the corpse affords protection merely by being covered over in the house which has a plague," the words of R. Meir.
  - E R. Yose says, "Whatever affords protection with a tightly sealed cover in the Tent of the corpse affords protection when merely covered over in the house which has a plague, and whatever affords protection when merely covered over in the Tent of the corpse even uncovered in the house which has the plague is clean."
- **14:1** A How do they purify the leper?
  - B (1) He would bring a new flask of clay, and (2) put in it a quarter-*log* of living water, and (3) bring two undomesticated birds.
  - C He slaughtered one of them over the clay utensil and over the living water.
  - D He dug [a hole] and buried it before him [the leper].
  - E He took cedarwood and hyssop and scarlet wool and bound them together with the ends of the strip [of wool] and brought near to them the tips of the wings and the tip of the tail of the second [bird].
  - F He dipped [them in the blood of the slaughtered bird] and sprinkled [the blood] seven times on the back of the hand of the leper.
  - G There are some who say, "On his forehead."
  - H And thus did he sprinkle on the lintel of the house on the outside.
- **14:2** A He came to send forth the living bird.
  - B He does not turn its face either to the sea or to the city or to the wilderness, as it is said, And he shall send forth the living bird out of the city into the open field (Lev. 14:53).
  - C He came to shave the leper.
  - D He passed a razor over all of his flesh.
  - E And he washed his garments and immersed.
  - F He is clean so far as rendering unclean through entry, and lo, he renders unclean like an insect.
    - 1. He enters inside the wall,
    - 2. is separated from his house seven days [Lev. 14:8],
    - 3. and is prohibited from sexual intercourse.
- **14:3** A On the seventh day he shaves the second shaving, as [in the manner of] the first shaving.
  - B He washed his garments and immersed.
  - C He is [now] clean so far as rendering unclean like an insect.
  - D And lo, he is one who has immersed [on the selfsame day]: he eats [second] tithe.
  - E [Once] his sun has set:
  - F he eats heave offering.
  - G [Once] he has brought his atonement offering [on the eighth day],

- H he eats holy things.
- I It comes out that there are three [stages of] purifications in regard to a leper,
- J and three [stages of] purifications in regard to one who gives birth.
- **14:4** A Three shave, and their shaving is a requirement:
  - B (1) the Nazir [Num. 6:18], (2) the leper [Lev. 14:8], and (3) the Levites [Num. 8:7].
  - C And all of them who shaved without the razor or who left behind two hairs have done nothing at all [and must repeat the shaving].
- **14:5** A Two birds:
  - B their requirement is that they should be equal [to one another] (1) in appearance, (2) in size, and (3) in price.
  - C And their purchase [must be] at the same moment.
  - D Even though they are not equivalent [to one another], they are acceptable.
  - E If one purchased one today and one tomorrow, they are acceptable.
  - F [If] one slew one of them, and it turned out to have been domesticated, one purchases a mate for the second.
  - G The first is permitted for eating.
  - H [If] one slaughtered it, and it turned out to be *terefah*, he purchases a mate for the second.
  - I The first is permitted for use.
  - J [If however] the blood [of the first bird] is poured out [before sprinkling], the one which is to be sent forth [Lev. 14:7] is left to die.
  - K [If] the one which is to be sent forth died, the blood [of the first bird] is to be poured out.
- **14:6** A The requirement [concerning] the cedarwood [is as follows]:
  - B (1) its length is a cubit; and (2) its thickness is the quarter of the thickness of the leg of a bed,
  - C [exactly] divided into two, and the two into four.
  - D The requirement of the hyssop:
  - E (1) not the Greek hyssop, (2) not stibium hyssop, (3) not Roman hyssop, (4) not wilderness hyssop,
  - F and (5) not any hyssop which has a special name.
- **14:7** A On the eighth day [Lev. 14:10] one brings three beasts: a sin offering, and a guilt offering, and a whole offering.
  - B The poor person would bring sin offering of fowl and a whole offering of fowl [Lev. 14:21].
- **14:8** A He came to the guilt offering and put his two hands on it and slaughtered it.
  - B And two priests received its blood, one in a utensil and one by hand.
    - C This one who received [the blood] in the utensil came and sprinkled it on the wall of the altar.
    - D And this one who received it by hand came to the leper.
    - E And the leper immersed in the court of the lepers.
    - F He came and stood in the gate of Nicanor.
    - G R. Judah says, "He did not require immersion [on the eighth day, having done so on the seventh]."

- **14:9** A He [the leper] put his head inside [the Temple court], and he placed [blood] on the tip of his ear.
  - B [He put his] hand [inside], and he placed it on his thumb of his hand.
  - C [He put] his foot [inside], and he placed it on the big toe of his foot.
  - D R. Judah says, "The three of them did he put inside all at once."
  - E If he did not have a thumb, a big toe, [or] a right ear he can never have purification.
  - F R. Eliezer says, "One puts it [the blood] on their place."
  - G R. Simeon says, "If he put it on the left [side instead of the right], he has carried out his obligation."
- **14:10** A He [the priest] took part of [the contents of] the *log* of oil and poured it into the palm of his fellow.
  - B And if he poured it into his own palm, he has carried out his obligation.
  - C He dipped [his right forefinger into the blood] and sprinkled seven times toward the house of the Holy of Holies.
  - D For every sprinkling is a [corresponding] dipping [of the finger].
  - E He came to the leper.
  - F Wherever he [in the application of blood] places the blood, there he places the oil,
  - G as it is said, Upon the place of the blood of the guilt offering, and the rest of the oil that is in the priest's hand he shall put upon the head of him that is to be cleansed to make atonement (Lev. 14:29).
  - H "If he put [the rest of the oil on the head of the leper], he made atonement, and if he did not put [the rest of the oil on the head of the leper], he did not make atonement." the words of R. Aqiba.
  - I R. Yohanan b. Nuri says, "These are the remnants of the commandment.
  - J "Whether he put or whether he did not [put the rest of the oil on the head of the leper], he made atonement.
  - K "But so far as he [the priest] is concerned, it is credited to him as though he did not make atonement."
  - L "If the log was found lacking before he poured it out, one should fill it up.
  - M "[If it was found lacking] after he poured it out, let him bring other [oil] anew," the words of R. Aqiba.
  - N R. Simeon says, "If the *log* was found lacking before one placed it, one should fill it up.
  - O "After he placed it, let him bring other [oil] as in the beginning."
- **14:11** A A leper who brought the offering while a poor man and then became rich, or as a rich man and then became poor—
  - B "everything follows according to [his status at the time of] the sin offering," the words of R. Simeon.
  - C R. Judah says, "After [at the time of] the guilt offering."
- **14:12** A A poor leper who brought the offering of a rich man has fulfilled his obligation.
  - B And a rich [leper] who brought the offering of a poor man has not fulfilled his obligation.C A man may bring, on behalf of his son, on behalf of his daughter, on behalf of his slave, and his maidservant, the offering of a poor man, and so enable them to eat animal
  - offerings.
  - D R. Judah says, "Also: in behalf of his wife he brings the offering of a rich person,
  - E "and so every sacrifice which she owes."

- **14:13** A Two lepers, the offerings of whom were mixed up,
  - B and the offering of one of whom was brought,
  - C and one of whom died—
  - D this is what the men of Alexandria asked R. Joshua.
  - E He said to them, "Let him write his property over to some one else and bring a poor man's offering."

## PARAH

- **1:1** A R. Eliezer says, "A heifer—a year old.
  - B "And a cow—two years old."
  - C 1. And sages say, "A heifer—two years old, and a cow—three years old,
    - 2. "or four years old."
  - D R. Meir says, "Even one five years old.
  - E 1. "The old one is suitable.
    - 2. "But they do not keep it waiting, lest a hair turn black [and] it should not [otherwise] become unfit."
  - F Said R. Joshua, "I heard only *shelashit*."
  - G They said to him, "What is the meaning of the language, *shelashit*?"
  - H Said he to them, "Thus I have heard plain [without explanation]."
  - I Said Ben Azzai, "I shall explain.
  - J "If you say *shelishit*, [it means the third in relationship] to others in sequence.
  - K "And when you say *shelashit*, [it means] three years old."
- **1:2** A R. Yose the Galilean says, "Bullocks— two years old.
  - B "As it is said, And a second [year] bullock of the herd you take for a purification offering (Num. 8:8)."
    - C And sages say, "Even one three years old."
    - D R. Meir says, "Even one four years old,
    - E "even one five years old are suitable.
    - F "But they do not bring old ones, because of the honor [of the altar]."
- **1:3** A Lambs—one year old.
  - B And rams—two years old.
  - C And in all cases, [the year is reckoned] from [birth] day to [birth] day.
  - D One thirteen months old is not suitable either for a lamb or for a ram.
  - E R. Tarfon calls it *Palges*.
  - F Ben Azzai calls it *Noqed*.
  - G R. Ishmael calls it *Parkharigma*.
  - H In like manner have they said [or: did he say],
  - I A four-year-old vineyard.
  - J They said to him, "What is the meaning of the language, *revai*?"
  - K Said he to them, "Thus have I heard plain."
  - L Said Ben Azzai, "I shall explain.
  - M "If you say *revii*, [it means the fourth in relationship] to others in sequence.
  - N "And when you say *revai*, [it means] four years old."
  - O In like manner have they said,

- P He who eats in a house afflicted with plague—a half-loaf [the size] of which is three to the *qab*.
  - They said to him, "Say, 'Eighteen to a selah.""
- Q Said he to them, "Thus have I heard plain."
- R Said Ben Azzai, "I shall explain.
- S "If you say *from three for a qab*, the dough offering does not apply to it.
- T "But when you say 'from eighteen for a seah,' its dough offering diminishes it."
- U [If] one did offer it up, one brings on its account the drink offerings of a ram. But his sacrifice does not go to his credit.
- V One which is thirteen months and one day old—lo, this is a ram.
- **1:4** A (1) The sin offerings of the congregation [Lev. 4:14] and their whole offerings,
  - (2) the sin offering of an individual,
  - (3) and the guilt offering of a Nazir [Num. 6:14],
  - (4) and the guilt offering of a leper [Lev. 14:12],
  - B are suitable from [the time that they are] thirty days old and upwards,
  - C and even on the thirtieth day.
  - D And if they offered them up on the eighth day, they are suitable.
  - E (1) Vow and freewill offerings,
    - (2) the firstlings,
      - (3) the tithe [of cattle, Lev. 17:32],
    - (4) and the Passover offering,
  - F are suitable from the eighth day and upward,
  - G and even on the eighth day.
- **2:1** A R. Eliezer says, "A cow for purification which is pregnant is suitable."
  - B And sages declare unfit.
  - C R. Eliezer says, "It is not purchased from the gentiles."
  - D And sages declare fit.
  - E And not this alone, but:
  - F All community and private offerings derive from the Land and from abroad,
  - G from what is new and from what is old [produce],
  - H except for the *omer* and two bread [loaves, Lev. 23:17],
  - I which come only from what is new and from the land.
- **2:2** A A cow whose horns and hoofs are black—let one chop [them] off.
  - B The eyeball and the teeth and the tongue [which are blemished] do not render unfit in the [case of the] cow.
    - C And the dwarf is suitable.
    - D [If] there was on it a wen, and one chopped it off—
    - E R. Judah declares unfit.
    - F R. Simeon says, "Any place from which it was removed and which place did not put forth red hair—it is unfit."
- **2:3** A (1) A [cow born of Caesarean birth] from the side, (2)  $A = \begin{bmatrix} 1 & 1 \\ 1 & 1 \end{bmatrix}$ 
  - (2) and the [harlot's] hire and (3) the price [of a dog]—it is unfit.
  - B R. Eliezer declares fit,

- C since it is said, You will not bring the harlot's hire and the price of a dog to the house of the Lord your God (Dt. 23:18).
  But this one does not come to the house.
- D All blemishes which render unfit in the case of Holy Things [sanctified animals] (Num. 19:2) render unfit in the case of the cow [M. Bek. 6:1–12].
- E [If] (1) one rode upon it,
  - (2) leaned upon it,
    - (3) suspended [something] on its tail,
    - (4) crossed the river on it,
    - (5) doubled up its leading rope,
  - (6) placed his cloak upon it—
  - it is unfit.
- F But: [if] (1) one tied it with a rope,
  (2) made for it a sandal so that it should not slip,
  (3) spread his cloak over it because of the flies—it is fit.
- G This is the general principle: Whatever [is done] for its need—it is suitable: For some other need—it is unfit.
- **2:4** A (4) [If] a bird rested on it, it is fit.
  - B [If] a male [bull] mounted it, it is unfit.
  - C R. Judah says, "If [people] brought it up [upon the cowl, it is unfit. But if [the bull did so] of its own account, it is fit."
- **2:5** A [If] there were on it two black hairs, or white ones, inside a single follicle, it is unfit.
  - B R. Judah says, "Even in one hollow."
    - C [If] they were in two hollows, and they are opposite [adjacent to] one another—it is unfit.
    - D R. Aqiba says, "Even four, even five, and they are scattered about—let one uproot them."
    - E R. Eliezer says, "Even fifty."
    - F R. Joshua b. Beterah says, "Even one on its head and one on its tail—it is unfit."
    - G There were on it two hairs—
    - H their root is black and their head is red—
    - I their root is red and their head is black—
    - J "All follows that which is seen," the words of R. Meir.
    - K And sages say, "[All follows the condition of] the root."
- **3:1** A Seven days before the burning of the cow, they separate the priest who burns the cow from his house, [bringing him] to the chamber which faces the northeast corner of the Temple building, and it was called the stone house.
  - B And they sprinkle on him all seven days [with a mixture] from all the purification [waters] which were there.
  - C R. Yose says, "They sprinkled on him only on the third and seventh [days] alone."
  - D R. Hananiah Prefect of the Priests says, "On the priest who burns the cow they sprinkle each of the seven days.
  - E "And on the one of the Day of Atonement, they sprinkled only on the third and seventh [days] alone."
- **3:2** A There were courtyards in Jerusalem, built on rock, and under them was a hollow, [which served as a protection] against a grave in the depths.

- B And they bring pregnant women, who give birth there, and who raise their sons there.
- C And they bring oxen, and on them are doors, and the youngsters sit on top of them, with cups of stone in their hands.
- D [When] they reached the Siloam, they descended and filled them, and mounted and sat on top of them.
- E R. Yose says, "From his place did he let down and fill [the cup, without descending]."
- **3:3** A They came to the Temple mount and dismounted.
  - B (The Temple mount and the courtyards—under them is a hollow against a grave in the depth.)
  - C And at the door of the courtyard was set up a flask of [ashes of] purification [rites done in the past].
  - D And they bring a male sheep, and tie a string between its horns, and they tie a stick or a bushy twig on the head of the rope, and one throws it into the flask.
  - E And one hits the male, and it starts backward.
  - F And one takes [the ashes spilled onto the stick] and mixes as much of it as could be visible on the surface of the water.
  - G R. Yose says, "Do not give the Sadducees an opportunity to cavil. But he takes it and mixes it."
- **3:4** A They did not prepare one purification offering [by virtue of the preparations made] for another purification offering, nor one child for his fellow.
  - B "And youngsters had to be sprinkled [and immersed]," the words of R. Yose the Galilean.
  - C R. Aqiba says, "They did not have to be sprinkled."
- **3:5** A "[If] they did not find [the residue of the ash] from seven [former cows of purification], they did it from six, from five, from four, from three, from two, from one.
  - B "And who prepared them?
  - C "The first did Moses prepare. And the second did Ezra prepare.
  - D "And five from Ezra onward," the words of R. Meir.
  - E And sages say, "Seven from Ezra onward.
  - F "And who prepared them?
  - G "Simeon the Righteous and Yohanan the High Priest did two each. Elyehoenai b. Haqqof and Hanamel the Egyptian, and Ishmael b. Phiabi did one each."
- **3:6** A And they would make a causeway from the Temple mount to the Mount of Olives, arches upon arches, an arch directly above each pair,
  - B because of the grave in the depths,
  - C on which the priest who burns the cow, and the cow, and all those that assist it go forth to the Mount of Olives.
- **3:7** A [If] the cow did not want to go forth, they do not bring out with it a black one,
  - B so that they should not say, "They slaughtered a black one."
  - C Nor a red one,
  - D so that they should not say, "Two did they slaughter."
  - E R. Yose says, "Not on this account, but because it is said, *And he shall bring it out* (Num. 19:3)—by itself."

- F And the elders of Israel would precede [them] on foot to the Mount of Olives.
- G And a house for immersion was there.
- H And they would render the priest who burns the cow unclean, because of the Sadducees,
- I so that they should not say, "It is done by one on whom the sun has set."
- **3:8** A They placed their hands on him, and they say to him, "My lord, High Priest, immerse one time."
  - B He descended and immersed, emerged and dried off.
  - C And wood was laid out there, cedar wood and pine and spruce [or: cypress], and smooth logs of fig [trees].
  - D And they would make it into a kind of tower, and they would open windows in it, and its foreside was [facing] westward.
- **3:9** A They bound it with a rope of bast and placed it on the pile of wood, with its head southward and its face westward.
  - B The priest, standing at the east [side], with his face turned west,
  - C slaughtered [it] with his right hand and received the blood with his left hand.
  - D R. Judah says, "With his right hand did he receive, and he put into his left hand.
  - E "And he sprinkled with [the index finger of] his right hand."
  - F He dipped and sprinkled seven times toward the house of the Holy of Holies.
  - G For every sprinkling is a corresponding dipping.
  - H He completed sprinkling.
  - I He wiped his hand on the body of the cow.
  - J He descended and kindled the fire with chips [of wood].
  - K R. Aqiba says, "With dry branches [of palm trees]."
- **3:10** A It burst open.
  - B And he [then] stood outside its pit.
  - C He took cedar wood and hyssop and scarlet wool.
  - D He said to them, "Is this cedar wood? Is this cedar wood? Is this hyssop? Is this hyssop? Is this scarlet wool?"—three times for each item.
  - E And they say to him, "Yes and yes"—three times for each item.
- **3:11** A He bound them together with the ends of the strip of wool and threw [them] into its burning.
  - B [When] it was burned up, they beat it with rods and sift it in sieves.
  - C R. Ishmael says, "With stone hammers and with stone sieves was it done."
  - D A black [cinder] on which is ash they crush. And that on which is none do they leave.
  - E The bone, one way or the other, is crushed.
  - F And they divide it into three parts.
  - G One is placed on the Rampart,
  - H and one is placed on the Mount of Olives,
  - I and one was divided among all the [priestly] watches.
- **4:1** A The cow of purification which one slaughtered not for its name,
  - B [the blood of which] one received and [or] sprinkled
  - C not for its own name,
  - D or [which one received] for its own name and [sprinkled] not for its own name,

- E or [which one received] not for its own name and [sprinkled] for its own name,
- F is unfit.
- G R. Eliezer declares fit.
- H And [if the rite was done by one] whose hands and feet were not washed, it is unfit.
- I R. Eliezer declares fit.
- J And [if it was done] not by the high priest, it is unfit.
- K R. Judah declares fit.
- L And by one not wearing proper garments—it is unfit.
- M And it was done in the white garments.
- **4:2** A (1) [If] one burned it outside of its pit,
  - (2) or [divided it and burned it] in two pits,
  - (3) or [if] one burned two [cows] in one pit—it is unfit.
  - B [If] one sprinkled and did not aim at the door [of the Holy of Holies], it is unfit.
  - C [If] one sprinkled from the sixth for the seventh, and went and sprinkled the seventh time, it is unfit.
  - D [If one did so] from the seventh for the eighth and went back and sprinkled for the eighth, it is fit.
- **4:3** A If one burned it without wood,
  - B or with any sort of wood,
  - C even with straw or with stubble,
  - D it is fit.
- **4:4** A All those who are engaged in the work of the cow from the beginning to the end [of the process]:
  - (1) render clothing [or other utensils which they touch] unclean,

and (2) render it [the rite] unfit through [other] work.

- B If an invalidity happened to it in its slaughter, it does not render clothing unclean.
- C If it happened to it in its sprinkling,
- D all who participate in the work involving it before its unfitness—
- E it renders clothing unclean.
- F And [those who do so] after its unfitness—
- G it does not render clothing unclean.
- H It turns out that its strict rule is its lenient rule.
- I At all times:
  - (1) do they commit sacrilege against it;
  - (2) and do they add wood to it.
- J (1) And its rites are done by day;
  - (2) and by a priest.
- K (1) And [other] work [done by those involved in the rite] renders it unfit,
  - (2) until it is made into ashes.
- L (1) And [other] work [done by those involved in the rite] renders the water unfit, (2) until they will put the ashes into it.
- **5:1** A He who brings a clay utensil for the purification [rite] immerses and spends the night [watching over] at the furnace.
  - B R. Judah says, "Even from the house does he bring [it], and it is suitable."

- C For all are believed [to preserve cleanness] concerning the purification [rite].
- D And [for one used in connection with] heave offering:
- E he opens the oven and takes [out the needed utensil].
- F R. Simeon says, "From the second row."
- G R. Yose says, "From the third row."
- **5:2** A He who immerses a utensil for the purification [rite] in water which is not suitable for mixing must dry [it] off.
  - B [If he does so] in water which is suitable for mixing, he need not dry [it] off.
  - C If [he does so] in order to collect in it water which has been mixed, one way or the other, he does need to dry [it] off.
- **5:3** A A pumpkin which they immersed in water which is not suitable for mixing they mix with it before it is made unclean.
  - B [If however] it is made unclean, they do not mix with it.
  - C R. Joshua says, "If he mixes with it in the first place, even at the end does he mix with it.
  - D "If he does not mix with it at the end, even in the first place he should not mix with it."
  - E One way or the other he should not collect in it water which has been mixed [with ashes].
- **5:4** A reed which one cut off [for use as a container] for [ashes of] the purification [rite]—
  - B R. Eliezer says, "He immerses it forthwith."
  - C R. Joshua says, "He makes it unclean and [then] immerses it."
  - D All are suitable for mixing, except for a deaf mute, an idiot, and a child.
  - E R. Judah declares fit in the case of the child and declares unfit in the case of the woman and the androgyne.
- **5:5** A With all utensils do they mix, even with utensils of dung, and with utensils of stone, and utensils of clod.
  - B And as to [a utensil shaped like] a ship, they mix with it.
  - C They do not mix either with the sides of utensils, or with the flanks of the pot, or with the bung of the pitcher, and not with his cupped hands,
  - D because they do not draw, and they do not mix, and they do not sprinkle purification water except with a [whole] utensil.
  - E They do not afford protection with a tightly sealed stopper except utensils,
  - F for they do not afford protection from the power of clay utensils except utensils.
- **5:6** A An egg of the potters is suitable.
  - B R. Yose declares unfit.
    - C An egg of hens—
    - D R. Meir and R. Judah declare fit.
    - E And sages declare unfit.
- 5:7 A The trough which is [hewn] in the rock—
  - B (1) they do not draw with it, (2) they do not mix with it, (3) they do not sprinkle from it,
    (4) it does not require a tightly sealed stopper, and (5) it does not render an immersion pool unfit.
  - C [If] it was a [movable] utensil, and one [then] joined it with plaster [to the ground]—

- D (1) they do draw with it, (2) they do mix with it, (3) they do sprinkle from it, (4) it does require a tightly sealed stopper, and (5) it renders unfit in the case of the immersion pool.
- E [If] it was perforated on the bottom and one stopped it up with a rag—the water which is in it is unfit,
- F because it is not wholly enclosed by the utensil.
- G [If it was perforated] on the side and one stopped it up with a rag,
- H the water in it is suitable,
- I because it is wholly enclosed by the utensil.
- J [If] they made for it a brim of mud, and the water rose to that spot, it is unfit.
- K [If] it was firm so that it [the utensil] may be moved with it [while grasping the brim], it is fit.
- **5:8** A Two [movable] troughs which are in a single [movable] stone—
  - B one mixed [in] one of them—
  - C the water in the second is not mixed.
  - D [If] they were perforated from one to the other [through a hole the size of] the spout of a waterskin—
  - E or [if] the water overflowed on top of them, even [a film of water of] the thickness of a garlic peel,
  - F and one mixed [the water which is] in one of them,
  - G the water in the second is mixed.
- **5:9** A Two stones which one placed close to one another and made into a trough,
  - B and so two kneading troughs,
  - C and so the trough which was divided,
  - D the water between them [in the gaps] is not mixed.
  - E [If] one repaired them with plaster or gypsum and they can move about as one,
  - F the water between them is mixed.
- **6:1** A He who mixes [ash and water in a trough],
  - B and the ash fell on his hand,
  - C or on the side [of the trough],
  - D and afterward it fell on the trough,
  - E it [the act of mixing] is unfit.
  - F [If] it [ash] fell from the reed to the trough, it is unfit.
  - G [If] he took [ash] from the reed and [then, before mixing] covered [the reed],
  - H or shut the door,
  - I the ash is fit, but the water is unfit.
  - J [If before mixing] he put it [the reed] in the ground, it [the water] is unfit.
  - K [If he put the reed] into his hand, it is fit,
  - L because it is possible [to do so without distraction].
- **6:2** A [If] the ash was floating on the surface of the water—
  - B R. Meir and R. Simeon say, "One takes [some of the floating ash] and mixes [another preparation with it]—, '
  - C And sages say, "Whatever [ash] has touched the water—they do not mix [another preparation] with it."
  - D [If] he emptied out the water, and ash was found below, on the bottom—

- E R. Meir and R. Simeon say, "He dries [it] and mixes [with it]."
- F And sages say, "Whatever has touched the water—they do not mix with it."
- **6:3** A He who mixes in the trough, and the flask is in it—
  - B even though its mouth is ever so narrow [in any amount at all]—
  - C the water which is in it is mixed.
  - D [If there was a sponge [in the trough], the water which is in it [the sponge] is unfit.
- **6:4** A [If he placed [under running water] his hand or his foot or vegetable greens so that the water should flow into the jar, it [the water] is unfit.
  - B [If for this purpose he made use of] leaves of reeds or nuts, it is fit.
  - C This is the principle: Something which is susceptible to uncleanness—it is unfit.
  - D And something which is not susceptible to uncleanness—it is fit.
- **6:5** A He who diverts the spring into the wine vat or into the cistern —it [the water] is unfit for *Zabs* [Lev. 15:13] and for lepers [Lev. 14:5] and to mix therein purification water,
  - B because they have not been filled up by means of a utensil.
- **7:1** A Five who drew five jars [of water] to mix [with them] five mixtures [of ash and water] and changed their minds [and decided] to [empty all the water into one jar and] mix them in a single mixture—
  - B or [five who filled five jars to mix with them] a single mixture, and changed their minds [decided] to mix [with them] five mixtures—
  - C lo, all [the water] is suitable.
  - D An individual who drew five jars [of water] to mix [with them] five mixtures and changed his mind [and decided] to mix [with them] single mixture—
  - E suitable is only the last [such mixture, in which no drawing preceded a mixing].
  - F [An individual who filled five jars to mix with them] one mixture and [after drawing the five] changed his mind and decided to mix [with them] five mixtures [in succession, drawing, then mixing five times]—
  - G suitable is only this one which he mixed first.
  - H [If] one said to someone, "Mix these [each one separately] for yourself suitable is only the first.
  - I [If he said], "Mix these for me"—Io, all of them are suitable.
- 7:2 A He who draws with one hand and does [other, extrinsic] work with the other hand—
  - B he who draws for himself and for someone else—
  - C or who drew for two [jars] at once—
  - D they both are unfit.
  - E For the [performance of extrinsic] work spoils the drawn [water], whether it is for him or for someone else.
- 7:3 A He who mixes with one hand and does work [extrinsic to the rite] with the other hand—
  - B if it is for himself, it is unfit.
  - C And if it is for someone else, it is fit.
  - D He who mixes [simultaneously] for himself and for someone else—
  - E [that which he mixed] for himself is unfit, and [that which he mixed] for another person is fit.

- F He who mixes for two [other people] at once—they both are fit.
- **7:4** A [If someone, having drawn water with a second party, said], "Mix for me, and [then] I shall mix for you, "—the first is suitable.
  - B [If someone said], "Draw for me, and [then] I shall draw for you, "— the last is suitable.
  - C [If someone said], "Mix for me, and [then] I shall draw for you, "—they both are suitable.
  - D [If someone said], "Draw for me, and [then] I shall mix for you"—they both are unsuitable.
- **7:5** A He who draws [water both] for himself and for a purification rite
  - B draws for himself first and ties it [the bucket] to the carrying yoke, and afterward he draws the water for the purification rite.
    - C And if he drew [water] for the purification rite first, and afterward drew for himself, it is unfit.
    - D He places his own [bucket of water] behind him, and that of the purification rite before him.
    - E And if he put that of the purification rite behind him, it is unfit.
    - F [If] both of them are for the purification rite, [if] he places one before him and one behind him, it is fit,
    - G because it is not possible [to do otherwise].
- **7:6** A He who brings the [borrowed] rope in his hand—
  - B if it is on his way [to the rite], it is suitable.
  - C And if it is not on his way, it is unfit.
  - D On [this issue, concerning the rope,] one went to Yavneh three festival seasons, and at the third festival season they declared it fit for him—as a special dispensation.
- **7:7** A He who [when raising the bucket] wraps the rope hand by hand [little by little]—[the water] is suitable.
  - B And if he arranged it [wrapping it around his hand] at the end, it is unfit.
  - C Said R. Yose, "This did they declare fit as a special dispensation."
- **7:8** A He who puts away the bucket [in connection with drawing water] so that it should not be broken,
  - B or who turned it upside down so as to dry it off,
  - C [if he did so] so as to draw with it it is suitable.
  - D [If he did so] in order to convey the mixture [of water and ashes already prepared] with it—

it is unsuitable.

- E He who clears out sherds from the trough so that it may hold a larger quantity of water it is suitable.
- F And if [he did so] so that they should not hinder him when he empties out the [mixed] water [into flasks for sprinkling],
- G it is unfit.
- **7:9** A He whose water was on his shoulder,
  - B and he taught a lesson,
  - C and showed others the way,

- D and killed a snake or a scorpion,
- E took foodstuffs to put them aside [for storage]—
- F it [the water] is unfit.
- G [If he took] food in order to eat it—it is suitable.
- H [If he killed] the snake and the scorpion who were standing in his way—
- I it is suitable.
- J Said R. Judah, "This is the principle: Anything which is done on account of work,
- K "whether he stood still [to do it] or did not stand [to do it]—
- L "it is unfit.
- M "And anything which is not on account of work—
- N "if he stood still [interrupting his journey to do it], it is unfit.
- O "And if he did not stand still, it is suitable."
- 7:10 A He who gave his water over to someone who was unclean— it is unfit.
  - B [If he gave it over to] someone who was clean—it is fit.
    - C R. Eliezer says, "Even [if he gave it] to someone who was unclean it is acceptable, so long as the owner of the water did not [in the interim] perform any work."
- **7:11** A Two who were drawing water for the purification rite and they raised [the bucket] with one another—
  - B or one took out the thorn from the other,
  - C in connection with a single mixing, it is suitable.
  - D And in connection with two mixings, it is unfit.
  - E R. Yose says, "Even in connection with two mixings, it is fit, if they made a condition with one another."
- **7:12** A He who [while carrying water] breaks down [a fence] on condition of putting up a fence [afterward]—it is suitable.
  - B But if [before mixing] he [actually) built a fence—it [the water] is unfit.
  - C He who eats on condition of storing [up dates or figs, that is, if someone gave him figs on condition of his doing some work to earn them]—it is suitable.
  - D But if he [actually] stored [some of them], it is unfit.
  - E If he was eating and left over some food and threw what he left in his hand under the fig tree or among drying figs, so that it should not be wasted—it is unfit.
- 8:1 A Two who were guarding the trough [containing water drawn for mixing with the ashes of the red cow]—
  - B and one of them was made unclean—
  - C it [the water] is suitable, because it is in the domain of the second.
  - D [If the first guard] became clean, and the second became unclean—
  - E it is suitable, because it is in the domain of the first.
  - F [If] both of them became unclean simultaneously—
  - G it is unfit.
  - H [If] one of them did work [extraneous to the rite]—
  - I it is suitable because it is in the domain of the second.
  - J [If the one who did the work extraneous to the rite] arose [and ceased to labor], and the second did work—
  - K it is suitable, because it is in the domain of the first.

L	[If] both of them did work simultaneously, it is unfit.	
Ι	A B C D E F	He who mixes purification water should not wear the sandal, for if the liquid fell on the sandal, it [the sandal] is made unclean, and they [the sandals] make him [the man himself] unclean. Lo, he [the man] says, Those things which made you [clothing] unclean could not have made me unclean, but you made me unclean. [If] the liquids fell on his skin, he is clean. [If] they fell on his garment, it is made unclean and makes him unclean. Lo, this one [man] says [to the clothing], Those things which made you unclean could not have made me unclean, but you made me unclean.
Π	A B C	He who burns the red cow, and [he who burns] bullocks, and the one who sends the goat away render clothing unclean [which they touch at the time of the rite. But they do not render men and clay utensils unclean]. A red cow and bullocks and the goat which is sent away themselves do not render clothing unclean. Lo, this one [= clothing] says [to the man], The things which made you unclean
	C	could not have made me unclean, but you made me unclean.
III	A B C	He who eats from the carrion of the clean bird, and it [that which he ate] is in his gullet, renders clothing unclean. The carrion itself does not render clothing unclean. Lo, this one [= clothing] says [to the man], The things which made you unclean
		could not have made me unclean, but you made me unclean.
IV	A B C	No Offspring of Uncleanness renders utensils unclean, but [it does render] liquid [unclean]. [If] liquid [which is on a utensil] is made unclean, it makes them [utensils] unclean. Lo, this one [= utensil] says [to the liquid], The things which made you unclean could not have made me unclean, but you made me unclean.
V	A B C	A clay utensil does not make its fellow [clay utensil] unclean, but [it does make] liquid [unclean]. [If] the liquid is made unclean, it makes it [a clay utensil] unclean. Lo, this one says, The things which made you unclean could not have made me unclean, but you have made me unclean.
VI	A B C	<ul><li>Whatever spoils heave offering renders the liquid unclean, to be in the first [remove], to render something unclean at one [further] remove and to render [heave offering] unfit at one [still further, namely, a third] remove.</li><li>(except for a <i>tebul-yom.</i>)</li><li>Lo, this one [food] says [to liquid], The things which made you unclean could not have made me unclean, but you made me unclean.</li></ul>
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**8:8** A "All the seas are like a pool [not like a spring],

- B "as it is said, And the gathering of the water he called seas (Gen. 1:10)," the words of R. Meir.
- C R. Judah says, "The great sea is like a pool.
- D "Seas is said only concerning that which contains many kinds of seas."
- E R. Yose says, "All the seas render clean when running [like springs].
- F "But they are unfit for *Zabs* and lepers and to mix [with ashes] for purification water."
- **8:9** A 1. Smitten [harmful] water is unfit.
  - B What is smitten [water]?
  - C That which is salty and [or] that which is lukewarm.
  - D 2. Intermittent water is unfit.
  - E What is intermittent water?
  - F [Water] that fails once in seven years.
  - G The [water] that fails in wartime or in years of drought is suitable.
  - H R. Judah declares unfit.
- 8:10 A 3. Water of Qarmyon and water of Pugah are unfit,
  - B because they are swamp [miry] water.
    - C 4. Water of the Jordan and water of the Yarmuk are unfit,
    - D because they are mixed water.
    - E What is mixed water?
    - F One suitable [for mixing with ashes] and one unsuitable that were mixed together.
    - G [If] both [sources of water] are fit and they are mixed together, they are fit.
    - H R. Judah declares unfit.
- 8:11 A 1. The well of Ahab and the cave of Pamyas— it water therefrom] is suitable.
  - B 2. Water which changed [in color], and its change is on account of itself [comes about by itself] —it is fit.
    - C 3. A water channel that comes from a distance—it [= its water] is fit,
    - D and on condition that one guarded it so that no man interrupt it[s flow].
    - E R. Judah says, "Lo, this remains in the presumption that it is permitted."
    - F A well into which clay or earth fell
      - "one waits until it becomes clear," the words of R. Ishmael.
  - G R. Aqiba says, "One does not have to wait."

### 9:1 A A flask [of purification water] into which any amount of [unmixed] water fell—

- B R. Eliezer says, "One sprinkles two sprinklings."
  - C And sages declare unfit.
  - D Dew fell into it—
  - E R. Eliezer says, "Let him leave it in the sun, and the dew will evaporate."
  - F And sages declare unfit.
  - G Liquid or fruit juice fell into it let him empty [it], and he needs to dry it off.
  - H [If there fell into the flask of purification water] ink, gum, and copperas, and anything which leaves a mark—
  - I let him empty it out, and he does not need to dry it off.

# 9:2 A [If there] fall into it [a flask of purification water] insects or creeping things, and they burst,

- C or its [the water's] color changed
- D it is unfit.
- E A beetle, one way or the other, renders [water] unfit, because it is like a reed [tube].
- F R. Simeon and R. Eliezer b. Jacob say, "The maggot and the weevil which are in the grain—it is fit,
- G "because they contain no moisture."
- 9:3 A Cattle or a wild animal drank from it—
  - B it is unfit.
  - C All the fowl render unfit,
  - D except for the dove, because it sucks up [the water, not drooling into it].
  - E All the creeping things do not render unfit,
  - F except for the weasel, because it laps up [the water].
  - G Rabban Gamaliel says, "Also: the snake, because it vomits."
  - H R. Eliezer says, "Also: the mouse."
- 9:4 A He who forms the intention concerning purification water, [saying he plans] to drink it—
  - B R. Eliezer says, "He has rendered it unfit [by mere intent]."
  - C R. Joshua says, "[He only renders it unfit] when he will turn it up [in order actually to drink. But mere intent does not spoil the water]—, '
  - D Said R. Yose, "Under what circumstances? In the case of water which is not mixed.
  - E "But in the case of water which is [in fact] mixed—
  - F "R. Eliezer says, 'When he will turn it up.'
  - G "R. Joshua says, 'When he will drink it.
  - H "'And if he poured it into his throat [without actually touching the flask with his mouth], it is fit."
- 9:5 A Purification water which has been made unfit—
  - B one should not trample it into the mud,
  - C so that one does not make it into a snare for others.
  - D R. Judah says, "It is annulled."
  - E A cow which drank purification water—
  - F its flesh is unclean for twenty-four hours.
  - G R. Judah says, "It is annulled
  - H "in its intestines."

#### **9:6** A Purification water and purification ash—

- B one should not take them across the river in a boat,
- C nor should he float them on the water,
- D nor should he stand on one side and throw them across to the other side.
- E But he himself crosses in the water up to his neck.
- F He who is clean for the purification rite crosses with an empty vessel which is clean for purification rite and with water which has not yet been mixed.
- **9:7** A Suitable ash which became mixed with ash of a stove— they follow the majority [of the ash in the mixture],
  - B so far as rendering [a person] unclean.
  - C And they do not mix with it.

- D R. Eliezer says, "They mix with the entire quantity."
- **9:8** A Purification water which was made unfit renders unclean the person who is clean for heave offering, both [if it touched] his hands and [if it touched] his body;
  - B and as to the one who is clean for the purification rite, neither [by contact with] his hands nor [by contact with] his body.
  - C [If] it was made unclean, it renders unclean the one who is clean for heave offering [if it touches] his hands and his body,
  - D and [renders unclean] the one who is clean for the purification rite [if it touches] his hands, but not [if it touches] his body.
- **9:9** A Suitable ash which one put in the water which is not appropriate for mixing renders unclean the person who is clean for heave offering [if it touches] his hands and [if it touches] his body.
  - B [Suitable ash which one put on the water which is not appropriate for mixing does] not [render unclean] the person who is clean for the purification rite [if it touches] his hands or his body.
- **10:1** A Whatever is appropriate to be made unclean with *midras* uncleanness is regarded as [actually] unclean with *maddaf* uncleanness so far as the purification rite is concerned,
  - B whether it is [actually] unclean or whether it is [actually] clean.
  - C And man [clean in all respects but not clean for the purification rite] follows suit.
  - D Whatever is appropriate to be made unclean with corpse uncleanness,
  - E whether it is [actually] unclean or whether it is [actually] clean—
  - F R. Eliezer says, "It is not [regarded as unclean with] *maddaf* uncleanness."
  - G R. Joshua says, "It is [regarded as unclean with] *maddaf* uncleanness."
  - H And sages say, "That which is [actually] unclean [because of the corpse] is [regarded as] unclean with *maddaf* uncleanness.
  - I "And that which is [actually] clean is not [regarded as] unclean with *maddaf* uncleanness."
- **10:2** A He who is clean for the purification rite who touched that which is unclean with maddaf uncleanness is unclean.
  - B A flagon of purification water which touched something [regarded as] unclean with maddaf uncleanness is unclean.
  - C He who is clean for the purification rite who touched foods and liquids—
  - D [if he did so] with his hand, he is unclean.
  - E And with his foot—he is clean.
  - F [If] he moved them with his hand—
  - G R. Joshua declares unclean.
  - H And sages declare clean.
- **10:3** A A jar of purification water which touched an insect—it is clean.
  - B [If] one put it on top of it—
  - C R. Eliezer declares [the ash] clean.
  - D And sages declare [the ash] unclean.
  - E [If] it touched foods and liquids and holy scrolls—it is clean.
  - F [If] one put it on top of them—
  - G R. Yose declares clean.

- H And sages declare unclean.
- **10:4** A The person who is clean for the purification rite who touched a [clean] oven [of clay]—
  - B [if he touched it] with his hand, he is unclean.
  - C And [if he touched it] with his foot, he is clean.
  - D [If] he was standing on top of an oven and stretched his hand beyond the oven, and the [clay] flagon of purification water is inside it [his hand]—
  - E and so: the yoke which is placed on top of the oven, and on it are two jars, one on one side, and one on the other side—
  - F R. Aqiba declares clean.
  - G And sages declare unclean.
- **10:5** A If one was standing outside of an oven and stretched his hand to the window and took the flagon and passed it over the oven—
  - B R. Aqiba declares unclean.
  - C And sages declare clean.
  - D But: he who was clean for the purification rite stands on top of the oven,
  - E and in his hand is an empty utensil which is clean for the purification rite,
  - F and with water which is not mixed.
- **10:6** A A pitcher of purification water which touched a [utensil] which [contains] holy food and heave offering—
  - B that which [contains] the purification water is unclean.
  - C And those which [contain] holy food and heave offering are clean.
  - D Two of them are in his two hands—
  - E they both are unclean.
  - F Both of them [are wrapped] in two [pieces of] paper—
  - G they are both clean.
  - H That which [contains] purification water is [wrapped up] in paper, and that which [contains] heave offering [or holy things] is in his hand [without wrapping]—
  - I they are both unclean.
  - J That [containing] heave offering [or holy things] is [wrapped in paper] and that [containing] the purification water is in his hand [without wrapping]—
  - K they are both clean.
  - L R. Joshua says, "That which [contains] purification water is unclean."
  - M [If] they are placed on the ground and one touched them [simultaneously]—
  - N that [containing] the purification water is unclean, and [those containing] holy food and heave offering are clean.
  - O [If] he moved them—
  - P R. Joshua declares unclean.
  - Q And sages declare clean.
- **11:1** A A jar [of purification water] which one left uncovered, and which one came and found covered—
  - B it [the water] is unfit.
  - C [If] one left it covered and came and found it uncovered—
  - D if the weasel can drink from it,
  - E or a snake, according to the opinion of Rabban Gamaliel [M. 9:3],

- F or dew fell into it by night—
- G it is unfit.
- H The purification [jar containing mixed ashes and water] is not afforded protection by a tightly sealed cover.
- I And [but] water which is not mixed is afforded protection by a tightly sealed cover.
- **11:2** A Any matter of doubt [which is regarded as] clean for heave offering is [regarded as] clean for the purification rite.
  - B Any matter of a suspended [decision] in respect to heave offering— in regard to the purification water rite, it [the water] is poured out.
  - C [If] they prepared clean things on account of it—they are left in suspense.
  - D Lattice-work is insusceptible to uncleanness in respect to holy things and in respect to heave offering and in respect to purification water.
  - E R. Eliezer says, "The loosely fastened boards are unclean in respect to purification water."
- **11:3** A A ring of pressed figs of heave offering which fell into purification water and which one removed and ate—
  - B if there is in it an egg's bulk,
  - C whether it is unclean or whether it is clean,
  - D the water is unclean.
  - E And the one who eats it is liable to the death penalty.
  - F [If] there is not in it an egg's bulk—
  - G the water is clean.
  - H And the person who eats it is liable to the death penalty.
  - I R. Yose says, "In the case of that which is clean, the water is clean."
  - J A person clean for the purification rite who put his head and the larger part of his body into purification water is made unclean.
- **11:4** A Whoever requires immersion in water according to the rules of the Torah renders unclean (1) holy things, (2) heave offering, (3) unconsecrated food, (4) tithe, and (5) such a one is forbidden to enter the sanctuary.
  - B After his immersion, "he (1) renders holy things unclean, and (2) spoils the heave offering, " the words of R. Meir.
  - C And sages say, "He spoils (1) the holy things and (2) the heave offering."
  - D And he is permitted to eat unconsecrated food and tithe.
  - E And if he came to the sanctuary, whether before or after his immersion, he is liable.
- **11:5** A Whoever requires immersion in water according to the rules of the scribes (1) renders the holy things unclean and (2) spoils the heave offering.
  - B "And he is permitted in respect to unconsecrated food and tithe," the words of R. Meir.
  - C And sages prohibit in the case of tithe.
  - D After he has immersed, he is permitted for all of them.
  - E And if he came to the sanctuary, whether before his immersion or after his immersion, he is free.
- **11:6** A Whoever requires immersion in water, whether according to the rules of

the Torah or according to the rules of the scribes renders unclean (1) purification water, (2) purification ash, and (3) the one who sprinkles purification water—

- B in contact and in carrying,
- C and (4) the hyssop that has been made susceptible to uncleanness, (5) the water which has not been mixed, and (6) an empty utensil which is clean for the purification rite—
- D "in contact and carrying, "
- E the words of R. Meir.
- F And sages say, "In contact, but not in carrying."
- **11:7** A Every hyssop which has a special name is unfit.
  - B "This hyssop"—it is fit.
  - C Greek hyssop, stibium hyssop, Roman hyssop, and wild hyssop are unfit.
  - D And that of unclean heave offering is unfit.
  - E And that of [heave offering] clean [for the purification rite]—one should not sprinkle [with it].
  - F But if he sprinkled with it, it is fit.
  - G They do not sprinkle either with young shoots or with berries.
  - H They are not liable on account of young shoots for entering the sanctuary.
  - I R. Eliezer says, "Also: not for the berries."
  - J What are the young shoots?
  - K Stalks before the buds have ripened.
- **11:8** A A hyssop with which one sprinkled is fit for use in purifying the leper.
  - B [If one gathered it for firewood, and liquid fell on it, one dries it, and it is fit.
    - C [If one gathered it for food, and liquid fell on it, even though one dried it, it is unfit.
    - D [If] one gathered it for the purification rite,
    - E "it is as if one gathers it for food," the words of R. Meir.
    - F R. Judah and R. Yose and R. Simeon say, "It is as if one gathered it for firewood."
- **11:9** A The commandment concerning the hyssop:
  - B three [separate] stalks, and on them three buds.
  - C R. Judah says, "Stalks with three buds each."
  - D Hyssop on which are three stalks—one cuts it up and binds them together.
  - E If one cut it up and did not bind it,
  - F bound it and did not cut it up,
  - G did not cut it up and did not bind it,
  - H it is fit.
  - I R. Yose says, "The commandment of the hyssop: Three stalks, on which are three buds—
  - J "and its remnants are two,
  - K "and its stumps—of any size at all."
- **12:1** A Hyssop which is [too] short— one makes it suffice with a thread and with a spindle and immerses it and brings it up and holds on to the hyssop [itself] and sprinkles.
  - B R. Judah and R. Simeon say, "Just as the sprinkling [must be] by the hyssop, so the immersion must be done with the hyssop."
- **12:2** A One sprinkled—

- B it is in doubt whether the sprinkling was done from the thread, or from the spindle, or from the bud—
- C his sprinkling is unfit.
- D One sprinkled on two utensils—
- E it is in doubt whether he sprinkled on both of them, [or] it is in doubt whether from its fellow it dripped on to it his sprinkling is unfit.
- F A needle which is fixed in the earthenware utensil, and one sprinkled on it—
- G one is in doubt whether he sprinkled on the needle or whether from the clay utensil it [water] dripped on it [the needle]—
- H his sprinkling is unfit.
- I A flask the mouth of which is narrow—
- J one immerses it and brings it up in the usual way.
- K R. Judah says, "The first sprinkling."
- L Purification water which was diminished—
- M one dips even the tips of the buds and sprinkles,
- N and on condition that the hyssop does not absorb [moisture on the sides of the flask as it is pulled out].
- O If one intended to sprinkle before him, and sprinkled behind him and sprinkled before him—
- P his sprinkling is unfit.
- Q Before him and he sprinkled to the sides which are before him—
- R his sprinkling is suitable.
- S They sprinkle on a man when he knows about it and when he does not know about it.
- T They sprinkle [simultaneously] on the man and on the utensils, and even if they are a hundred.
- **12:3** A [If] one intended to sprinkle on something which is susceptible to uncleanness and sprinkled on something which is not susceptible to uncleanness,
  - B if there is [purification water] on the hyssop, he should not repeat [the dipping of the hyssop in the water].
  - C [If one intended to sprinkle] on something which does not receive uncleanness and sprinkled on something which receives uncleanness,
  - D if there is [more purification water] on the hyssop, he should repeat [the dipping].
  - E [If he intended to sprinkle] on the man, and he sprinkled on the cow,
  - F if there is [more purification water] on the hyssop, he should not repeat.
  - G [If he intended to sprinkle] on the cow, and he sprinkled on the man,
  - H if there is [more purification water] on the hyssop, he should repeat.
  - I The water that drips off is fit.
  - J Therefore it renders unclean as [does] the usual water of the purification rite.
- **12:4** A He that sprinkles from the window in the public domain,
  - B [and a man so sprinkled] entered the sanctuary, and the water turned out to be unfit—C he is free.
  - D [If one sprinkled] from a window [wall niche] in the private domain,
  - E [and a man so sprinkled] entered the sanctuary, and the water turned out to be unfit—
  - F he is liable.
  - G But as to a high priest, [sprinkled] whether from a window of the private domain or from a window of the public domain—

- H he is free,
- I for the high priest is not liable for coming to the sanctuary.
- J They would slip [on water] before a window of the public domain and trample [there] and did not refrain [from entering the sanctuary.
- K For they said, "Purification water which has carried out its purpose does not render unclean."
- **12:5** A The clean person holds an unclean ax in his skirt, and one sprinkles on it.
  - B Even though there is on it sufficient water for a sprinkling, he is clean.
  - C How much must be in the water for it to be sufficient for sprinkling?
  - D Enough so that one may dip the tips of the buds and sprinkle.
  - E R. Judah says, "They regard them [the buds] as though they were on a hyssop of brass [which absorbs no water]"
- 12:6 A He who sprinkles with an unclean hyssop—
  - B if there is in it an egg's bulk,
  - C the water is unfit, and his sprinkling is unfit.
  - D If there is not in it the bulk of an egg—
  - E the water is fit, and his sprinkling is unfit.
  - F And it [the hyssop] renders its fellow [other hyssop] unclean, and its fellow [hyssop], its fellow [hyssop], even if they are a hundred.
- **12:7** A The person who is clean for the purification rite whose hands become unclean,
  - B his body is made unclean.
  - C And he makes his fellow unclean, and his fellow, his fellow, even a hundred.
- 12:8 A A pitcher of purification water, the outer side of which is made unclean
  - B its inside is made unclean.
  - C And it makes its fellow [pitcher] unclean, and its fellow, its fellow,
  - D even if they are a hundred.
  - E A bell and a clapper are regarded as connected.
  - F A spindle used for coarse material—
  - G one should not sprinkle on the spindle [alone] and not on the ring [alone].
  - H And if one sprinkled, it is regarded as sprinkled.
  - I And [in a spindle used for spinning] flax—it is connected.
  - J A hide of a cot which is attached to knobs [of the cot]—[both are] connected.
  - K The base is not connected [to the bed] either for uncleanness or for cleanness.
  - L All handles of utensils which are drilled [with a hole to fasten them to utensils] are connected.
  - M R. Yohanan b. Nuri says, "Also those that are wedged [into holes in the utensils]."
- **12:9** A The baskets of a packsaddle,
  - B and the bed of the barrow,
  - C and the [iron] corner of the bier,
  - D and the horns of travellers,
  - E and the key chain,
  - F and the loose stitches of washermen,
  - G and the garment which is stitched together with mixed fabrics—

- H it is a connector for uncleanness, and it is not a connector for sprinkling.
- **12:10** A The cover of a kettle which is joined [to the kettle] by the chain
  - B The House of Shammai say, "It is connected for uncleanness, and it is not connected for sprinkling."
  - C The House of Hillel say, "If one sprinkled the kettle, he has sprinkled on the cover. "If he has sprinkled on the cover, he has not sprinkled on the kettle."
  - D All are fit to sprinkle, except for
    - 1. one of doubtful sex,
      - 2. an androgyne,
      - and 3. a woman,

4. and a child who is without understanding.

- E The woman helps him [a child who possesses understanding] and he sprinkles,
- F and holds the water for him, and he dips and sprinkles.
- G If she held him by the hand, even in the moment of the sprinkling, it is unfit.
- **12:11** A He dipped the hyssop during the day and sprinkled on the same day —it is fit.
  - B He dipped during the day and sprinkled at night—
  - C dipped at night and sprinkled during the day—
  - D it is unfit.
  - E But he immerses himself at night and is sprinkled during the [next] day.
  - F For they do not sprinkle before the sun has risen.
  - G And in all cases in which they did so once the morning star had come up—it is fit.

## TOHOROT

- **1:1** A Thirteen matters regarding the carrion of the clean bird:
  - B (1) It requires intention and does not require preparation.
  - C And (2) it renders unclean with food uncleanness when it is the size of an egg,
  - D and (3) [it conveys food uncleanness] when it is the size of an olive in the [eater's] gullet.
  - E And (4) he who eats it requires waiting until sunset.
  - F And (5) they are liable on its account for entering the sanctuary.
  - G And (6) they burn heave offering on its account.
  - H And (7) he who eats a limb from the living [bird] from it is smitten with forty stripes.
     (8) "Slaughtering it and wringing its neck render it no longer unclean even if it is *terefah*," the words of R. Meir.
  - I R. Judah says, "They do not render it clean."
  - J R. Yose says, "Slaughtering it renders clean but not wringing its neck."
- **1:2** A (9) The large feathers and the down are susceptible to uncleanness and convey uncleanness, and they do not join together.
  - B R. Ishmael says, "The down joins together."
  - C (10) The beak and the claws are susceptible to uncleanness and convey uncleanness and join together.
  - D R. Yose says, "Also the tips of the wings and the tip of the tail join together,
  - E "for so they are allowed to remain on fattened birds."

- **1:3** A The carried of the unclean bird (1) requires intention and preparation;
  - B and (2) renders unclean with food uncleanness when it is the size of an egg;
  - C and (3) in the size of a half-loaf's bulk of it to render the body unfit.
  - D And [the rule of] an olive's bulk in the gullet does not apply to it.
  - E And (4) the one who eats it does not require waiting for sunset.
  - F And (5) they are not liable on account of it for coming to the sanctuary.
  - G But (6) on its account they burn the heave offering.
  - H And (7) he who eats a limb from the living [bird] from it does not receive the forty stripes.
  - I And (8) slaughtering it does not render it clean.
  - J The (9) large feathers and the down are susceptible to uncleanness and convey uncleanness and join together [to form the egg's bulk or the half-loaf's bulk].
  - K The (10) beak and the claws convey uncleanness and are susceptible to uncleanness and join together.
- **1:4** A And with regard to cattle:
  - B (1) The hide, (2) the fat, (3) the sediment, (4) the flesh, (5) the bones, (6) the tendons, (7) and horns, and (8) the hoofs
  - C join together to convey the uncleanness of foods
  - D but not the uncleanness of carrion.
  - E And similarly:
  - F He who slaughters an unclean beast for a gentile, and it jerks it conveys the uncleanness of foods
    - but not the uncleanness of carrion-
  - G until it will die,
  - H or until one will cut off its head.
  - I [The law] has prescribed more [conditions] to convey uncleanness of foods than to convey uncleanness of carrion.
- **1:5** A The food which is made unclean by a Father of Uncleanness and that which is made unclean by an Offspring of Uncleanness join together with one another to convey the lighter remove of uncleanness of the two. How so?
  - B A half-egg's bulk of food which is unclean in the first remove and a half egg's bulk of food which is unclean in the second remove which one mixed with one another— [the consequent mixture is unclean in the] second [remove of uncleanness].
  - C A half-egg's bulk of food unclean in the second remove of uncleanness and a half-egg's bulk of food unclean in the third remove of uncleanness which one mixed together with one another—

[it is unclean in the] first [remove of uncleanness].

- D [But] an egg's bulk of food unclean in the first remove of uncleanness and an egg's bulk of food unclean in the second remove of uncleanness which one mixed together with one another—
  - [it is unclean in the] first [remove of uncleanness.]
- E [If] one divided them up this is unclean in the second remove of uncleanness, and this is unclean in the second remove of uncleanness.
- F This one fell by itself and this one by itself on a loaf of heave offering—they have rendered it unfit.

- G [If] the two of them fell on it simultaneously—they have made it unclean in the second remove of uncleanness.
- **1:6** A An egg's bulk of food unclean in the second remove and an egg's bulk of food unclean in the third remove which one mixed with one another it is unclean in the second remove.
  - B [If] one divided them—
  - C this one fell by itself and this by itself on a loaf of heave offering they have not made it unfit.
  - D If the two of them fell simultaneously they put it into the third remove.
  - E An egg's bulk of food unclean in the first remove and an egg's bulk of food unclean in the third remove which one mixed with one another it is unclean in the first remove.
  - F [If] one divided them
    - this one is unclean in the second remove, and this is unclean in the second remove.
  - G For even that which is unclean in the third remove which touched something unclean in the first remove becomes unclean in the second remove.
  - H Two eggs' bulk of food unclean in the first remove, two eggs' bulk of food unclean in the second remove which one mixed with one another it is unclean in the first remove.
  - I [If] one divided them
    - this is unclean in the first remove and this one is unclean in the first remove.
  - J [If one divided them into] three or four parts lo, these are unclean in the second remove.
  - K Two eggs' bulk of food unclean in the second remove, two eggs' bulk of food unclean in the third remove, which one mixed together it is unclean in the second remove.
  - L [If] one divided them
    - this one is unclean in the second remove, and this one is unclean in the second remove.
  - M [If one divided them into] three or four parts, lo, these all are in the third remove.
- **1:7** A Pieces of dough stuck together,
  - B and loaves stuck together—
  - C [if] one of them is made unclean by a dead creeping thing,
  - D they are all unclean in the first remove.
  - E [If] they were separated, they are all unclean in the first remove.
  - F [If they were made unclean by] liquid, they all are unclean in the second remove.
  - G [If] they separated, they all are unclean in the second remove.
  - H [If they were made unclean by] hands, they all are unclean in the third remove.
  - I [If] they separated, they all are unclean in the third remove.
- **1:8** A A piece of dough, which was unclean in the first remove, and one stuck others to it, they all are unclean in the first remove.
  - B [If] they separated, it is unclean in the first remove, but all [the rest] are unclean in the second remove.
  - C [If] it was unclean in the second remove and one stuck others to it, they all are unclean in the second remove.

- D [If] they separated, it is unclean in the second remove, but all [the rest] are unclean in the third remove.
- E [If] it was unclean in the third remove, and one stuck others to it, it is unclean in the third remove, but all [the rest] are clean,
- F whether they separated or whether they did not separate.
- **1:9** A Loaves of Holy Things, in the hollows of which is water preserved in cleanness fitting for Holy Things—
  - B [if] one of them was made unclean by a creeping thing, they all are unclean.
  - C In the case of heave offering, it [the creeping thing] renders unclean at two removes and renders unfit at one [third remove].
  - D If there is between them dripping liquid, even in the case of heave offering, the whole is unclean.
- 2:1 A The woman who was pickling vegetables in the pot and touched a leaf
  - outside of the pot, on a dry spot—
  - B even though it is an egg's bulk in size,
  - C it is unclean. But the whole is clean.
  - D [If] she touched a place on which there is liquid,
  - E if there is in it an egg's bulk, the whole is unclean.
  - F [If] there is not an egg's bulk in it, it is unclean. But the whole is clean.
  - G [If the wet leaf] returned to the pot, the whole is unclean.
  - H [If] she was [unclean because of] contact with [something unclean with] corpse uncleanness and touched,
  - I whether a place which is wet or a place which is dry,
  - J if there is in it an egg's bulk, the whole is unclean.
  - K [If] there is not an egg's bulk, it is unclean, but the whole is clean.
  - L [If] one who had immersed on the self—same day was emptying the pot with unclean hands, and she saw liquid on her hands—
  - M there being doubt whether it [the liquid] had splashed from the pot, or whether the stalk had touched her hands—
  - N the vegetable is unfit, but the pot is clean.
- **2:2** A R. Eliezer says, "(1) He who eats food unclean in the first remove is unclean in the first remove;

"(2) [he who eats] food unclean in the second remove is unclean in the second remove; "(3) [he who eats] food unclean in the third remove is unclean in the third remove."

B R. Joshua says, "(1) He who eats food unclean in the first remove and food unclean in the second remove is unclean in the second remove.
 "(2) He who gets food! unclean in the third remove is unclean in the second remove of formation.

"(2) [He who eats food] unclean in the third remove is unclean in the second remove so far as Holy Things are concerned,

- "(3) and is not unclean in the second remove so far as heave offering is concerned—
- C "in the case of unconsecrated food
- D "which is prepared in conditions of cleanness appropriate to heave offering."
- A Unconsecrated food: in the first remove is unclean and renders [heave offering] unclean.
   B [Unconsecrated food] in the second remove is unfit but does not convey uncleanness.

	С	And [unconsecrated food] in the third remove is eaten in pottage of heave offering.
2:4	А	<i>Heave offering:</i> in the first and in the second removes is unclean and renders [Holy Things] unclean.
	В	[Heave offering] in the third remove is unfit and does not convey uncleanness.
	С	And [heave offering] at the fourth remove is eaten in a pottage of Holy Things.
2:5	А	<i>Holy Things:</i> in the first and the second and the third removes are susceptible to uncleanness and convey uncleanness.
	В	And [Holy Things] in the fourth remove are unfit and do not convey uncleanness.
	С	And [Holy Things] in the fifth remove are eaten in a pottage of Holy Things.
2:6	А	<i>Unconsecrated food:</i> in the second remove renders unconsecrated liquid unclean and renders unfit foods of heave offering.
	В	<i>Heave offering:</i> at the third remove renders unclean liquid of Holy Things and renders unfit foods of Holy Things,
	С	if it [the heave offering] was prepared in conditions of cleanness pertaining to Holy Things.
	D	But if it was prepared in conditions pertaining to heave offering, it renders unclean at two removes and renders unfit at one remove in reference to Holy Things.
2:7	А	R. Eleazar says, "The three of them are equal:
	В	<i>"Holy Things and heave offering and unconsecrated food:</i> which are at the first remove of uncleanness render unclean at two removes and unfit at one [further] remove in respect to Holy Things,
	С	"render unclean at one remove and spoil at one [further] remove in respect to heave offering,
	D	"and spoil unconsecrated food.
	E	"That which is unclean in the second remove in respect to all of them renders unclean at
		one remove and unfit at one [further] remove in respect to Holy Things,
	F	"and renders liquid of unconsecrated food unclean,
	G	"and spoils foods of heave offering.
	Η	"The third remove of uncleanness in respect to all of them renders liquids of Holy Things
	т	unclean, "and an aile for the of Heles Things "
	Ι	"and spoils foods of Holy Things."
2:8	А	He who eats food unclean in the second remove should not work in the olive press.
	В	And unconsecrated food which is prepared in accord with the rules pertaining to Holy Things— lo, this is like unconsecrated food.
	С	R. Eleazar b. R. Sadoq says, "Lo, it is like heave offering,
	D	"conveying uncleanness at two removes and rendering unfit at one [further] remove."
3:1	A	Grease, bean mash and milk,
	B	when they are [in the form of] running liquid,
	C	lo, they are in the first remove of uncleanness.
	D	[If] they congealed, lo, they are in the second remove of uncleanness.
	E	[If] they became liquid [again],
	F	[if they are of the volume of] an egg, exactly—

- G it is clean.
- H [If they are of the volume of] more than an egg, it is unclean,
- I for as soon as the first drop [of moisture] exuded, it was made unclean,
- J [by the remainder which is] the bulk of an egg.
- **3:2** A R. Meir says, "Oil is in the first remove of uncleanness under all circumstances."
  - B And sages say, "Also honey."
  - C R. Simeon Shezuri says, "Also: wine."
  - D And: A clump of [unclean] olives which fell into the oven, and it was heated—
  - E [if it is the volume of] an egg exactly, it [the oven] is clean.
  - F [If it is the volume of] more than an egg, it [the oven] is unclean,
  - G for as soon as the first drop [of moisture] exuded, it was made unclean, [by the remainder which is] the bulk of an egg.
  - H [If] they were separate, even if they are a *seah*, it is clean.
- **3:3** A One unclean with corpse uncleanness who pressed out olives and grapes—
  - B [if the olives or the grapes were of the volume of] an egg exactly, it is clean
    - C and on condition that he not touch the wet place.
    - D [If it was of the volume of] more than an egg, it is unclean,
    - E for as soon as the first drop [of moisture] exuded, it was made unclean, [by the remainder which is] the bulk of an egg.
    - F If it was a *Zab* or a *Zabah*,

even [if only] an individual berry [was squeezed out], it is unclean,

- G [for as soon as the first drop of moisture] exuded, it was made unclean through the carriage [of the *Zab* or *Zabah*].
- H A Zab who milked the goat
- I the milk is unclean,
- J for as soon as the first drop [of moisture] exuded, it was made unclean through carriage.
- **3:4** A An egg's bulk of foodstuffs which one left in the sun and which shrank,
  - B and so (1) an olive's bulk of corpse matter, (2) an olive's bulk of carrion and (3) a lentil's bulk of a creeping thing,
  - C (4) an olive's bulk of refuse, (5) an olive's bulk of remnant, and (6) an olive's bulk of prohibited fat—
  - D lo, they are clean.
  - E And they are not liable on their account because of refuse, remnant, and uncleanness.
  - F [If] one left them in the rain and they expanded, they are unclean,
  - G and they are liable on their account [for transgression of the laws of] refuse, remnant, and uncleanness [Better: *forbidden fat*].
- **3:5** A All unclean things fare adjudged] in accord with [their condition] at the moment that they are found.
  - B (1) If they are unclean, they are unclean;

and (2) if they are clean, they are clean;

(3) if they are covered up, they are covered up;

and (4) if they are uncovered, they are uncovered.

C A needle which is found full of rust or broken is clean.

- D For all unclean things [are adjudged] in accord with [their condition] at the moment that they are found.
- **3:6** A A deaf-mute, an imbecile, and a minor who are found in an alley in which is uncleanness, lo, these are assumed to be clean.
  - B But any person of sound sense is assumed to be unclean.
  - C And whoever lacks understanding to be interrogated—
  - D a matter of doubt concerning him is resolved in favor of cleanness.
- **3:7** A A child who is found on the side of a graveyard, and lilies are in his hand, and lilies are [located] only in the place of the uncleanness is clean,
  - B for I say, "Someone else gathered them and gave them to him."
  - C And so an ass among the graves—his utensils are clean.
- **3:8** A A child [who is unclean] who is found at the side of the dough and the dough is in his hand—
  - B R. Meir declares clean.
  - C And sages declare unclean,
  - D for it is the way of the child to slap [dough].
  - E Dough which had on it marks of hens' [beaks],
  - F and unclean liquids are in the house,
  - G if there is between the liquid and the loaves sufficient [space] for the hens to dry off their beaks in the ground,
  - H to, these are clean.
  - I And in the case of the cow and in the case of the dog—
  - J sufficient space in which they may lick their tongue.
  - K And in reference to all other cattle, sufficient space in which they may dry themselves.
  - L R. Eliezer b. Jacob declares clean in the case of a dog, because he is intelligent,
  - M for it is not his way to leave food and to go for water.
- **4:1** A He who threw something unclean from place to place—
  - B a [clean] loaf of bread among [unclean] keys—
  - C an [unclean] key among the [clean] loaves of bread—
  - D it is clean.
  - E R. Judah says, "[If one threw] a loaf among the keys, it [the loaf] is unclean.
  - F "[If one threw] a key among the loaves, it [the loaf] is clean."
- **4:2** A The creeping thing is in the mouth of the weasel,
  - B and it [the weasel] walks on loaves of heave offering—
    - C there is doubt whether or not it [the creeping thing] touched [the loaves]—
    - D its matter of doubt is deemed clean.
- **4:3** A The creeping thing is in the mouth of the weasel—
  - B and a bit of carrion is in the mouth of the dog—
  - C and they passed among clean things,
  - D or clean things [or: people] passed between them,
  - E their matter of doubt is deemed clean,
  - F because the unclean thing has no place.

- G [If] they were picking at them while [these lay] on the ground—
- H and a person said,
- I "I went to that place, but I do not know whether I touched or whether I did not touch"—
- J his matter of doubt is deemed unclean,
- K because the unclean thing has a place.
- **4:4** A An olive's bulk of corpse matter is in the mouth of the raven
  - B there is doubt whether it overshadowed the man and the utensils in the private domain —
  - C the doubt concerning the man is deemed unclean;
  - D the doubt concerning the utensils is deemed clean.
  - E He who draws with ten buckets, and a creeping thing is found in one of them—
  - F it is unclean, and all [the rest of] them are clean.
  - G He who empties from utensil to utensil and a creeping thing is found in the lower one—
  - H the upper one is clean.
- **4:5** A On account of six matters of doubt do they burn heave offering:
  - 1. concerning a doubt in regard to a grave area;
  - 2. and concerning a doubt in regard to dirt which comes from abroad;
  - 3. because of a doubt concerning the clothing of an *Am haares*;
  - 4. and because of a doubt concerning utensils which were found;
  - 5. because of a doubt concerning drops of spit which were found;
  - 6. because of a doubt concerning human urine that was nearby the urine of a beast—
  - B because of certainly touching them, which is a matter of doubt in respect to their [imparting] uncleanness,
  - C they burn the heave offering.
  - D R. Yose says, "Even because of a doubt about having touched them in the private domain."
  - E And sages say, "[Because of a doubt about having touched them] in the private domain, they leave it in suspense. And in the public domain, it is clean."
- **4:6** A Two [drops of] spit—
  - B one unclean, and one clean—
  - C they suspend—
    - (1) on account of having touched them,
    - and (2) on account of having carried them,
    - and (3) on account of having moved them-
  - D in private property;
  - E and on account of having touched them—
  - F in public property—
  - when they are moist;
  - G and on account of having carried them,
  - whether they are moist or whether they are dry.
  - H [If] there was a single drop of spit and one touched it, and carried it, and moved it
  - I in public domain—
  - J they burn the heave offering on its account,
  - K and it is hardly necessary to rule, [if one did so] in private property.

- **4:7** A These are [conditions of] doubt which sages have declared clean:
  - B 1. A doubt concerning drawn water [that falls into] the immersion pool.
  - C 2. A doubt concerning uncleanness floating on the surface of the water.
  - D 3. A doubt concerning liquids, in respect to contracting uncleanness—it is unclean.
  - E [A doubt concerning liquids, in respect to] conveying uncleanness—it is clean.
  - F 4. A doubt concerning hands,
  - G either in respect to contracting uncleanness,
  - H or in respect to conveying uncleanness,
  - I or in respect to being made clean—
  - J it is clean.
  - K 5. A doubt concerning public domain.
  - L 6. A doubt concerning rulings of the scribes.
  - M 7. A doubt concerning the unconsecrated food.
  - N 8. A doubt concerning creeping things.
  - O 9. A doubt concerning plagues.
  - P 10. A doubt concerning Naziriteship.
  - Q 11. A doubt concerning firstlings.
  - R 12. A doubt concerning sacrifices.
- **4:8** A A doubt concerning uncleanness floating on the surface of the water—
  - B whether [water] in utensils, whether [water] on the ground.
  - C R. Simeon says, "[If it is] in utensils, it is unclean, and [if it is] on the ground, it is clean."
  - D R. Judah says, "If the doubt has to do with his descent [into the water], he is unclean. If the doubt has to do with his ascent from the water, he is clean."
  - E R. Yose says, "Even if there is there only space enough for the man and the uncleanness, he is clean."
- **4:9** A A doubt concerning liquids to contract uncleanness is deemed unclean
  - B how so?
  - C An unclean person who put out his foot among clean liquids—
  - D it is a matter of doubt whether he touched or did not touch—
  - E his matter of doubt is deemed unclean.
  - F [If] there was an unclean loaf of bread in his hand, and he threw it among clean liquids—
  - G it is a matter of doubt whether it touched or whether it did not touch—
  - H his matter of doubt is deemed unclean.
  - I And to convey uncleanness—it is clean—
  - J how so?
  - K [If] there was a staff in his hand,
  - L and on the end of it are unclean liquids,
  - M and he threw it among clean loaves—
  - N it is a matter of doubt whether it touched or whether it did not touch—
  - O its matter of doubt is deemed clean.
- **4:10** A R. Yose says, "A matter of doubt in respect to liquids
  - B "in what concerns food, it is unclean,
  - C "and in what concerns utensils, it is clean."
  - D How so?
  - E Two jars, one is unclean and one is clean—
  - F and one made dough [with water] from one of them—

it is a matter of doubt whether he made it from the unclean or whether he made it from the clean—

- G This is [the matter of which it is said]:
- H "A matter of doubt concerning liquids—
- I "if it has to do with foods, it is deemed unclean,
- J "and if it has to do with utensils, it is deemed clean."
- **4:11** A *A matter of doubt concerning the hands, to contract uncleanness and to convey uncleanness and to be made clean—it is clean.* 
  - B A matter of doubt having to do with the public domain is deemed clean.
  - C A matter of doubt having to do with the rules of scribes—
  - D One ate unclean foods, drank unclean liquids—
  - E his head and the greater part of his body come into drawn water—
  - F or three *logs* of drawn water fell on his head and on the greater part of his body—
  - G a matter of doubt concerning him is deemed clean.
  - H But in respect to something which is a Father of Uncleanness,
  - I and it [the uncleanness at the level of the Father] derives from the rulings of scribes—
  - J its matter of doubt is deemed unclean.
- **4:12** A *Matter of doubt concerning the unconsecrated food—* this has to do with the cleanness of abstinence [Perishut].
  - B *A matter of doubt having to do with creeping things* it is adjudged in accord with their condition when they are found.
  - C A matter of doubt having to do with plagues—
  - D in the first instance, it is clean, before it has been subjected to a ruling of uncleanness. Once it has been subjected to a ruling of uncleanness, a matter of doubt concerning it is deemed unclean.
  - E *A matter of doubt concerning Naziriteship* it is permitted.
  - F A matter of doubt concerning firstlings—
  - G all the same is the rule for the first-born of man and the first-born of cattle,
  - H whether unclean or clean,
  - I for:
  - J he who would take something away from his fellow, upon him is the burden of proof.
- **4:13** A A matter of doubt concerning sacrifices—
  - B a woman suffered five miscarriages that were in doubt—
  - C five fluxes that were in doubt—
  - D she brings a single offering,
  - E and eats sacrifices,
  - F and the remainder is not an obligation for her.
- **5:1** A The creeping thing and the frog in public domain—
  - B and so:
  - C an olive's bulk of corpse matter and an olive's bulk of carrion,
  - D and a bone from a corpse, and a bone from carrion,
  - E and a clod from clean earth and a clod from a grave area,
  - F a clod of clean earth and a clod of earth from abroad,

- G two paths, one unclean and one clean—
- H [if] one walked in one of them, and it is not known in which of them he has walked—
- I [if] he has overshadowed one of them, and it is not known which of them he has overshadowed—
- J he moved one of them, and it is not known which of them he has moved—
- K R. Aqiba declares unclean.
- L And sages declare clean.
- **5:2** A One who said, "I touched this, but I do not know whether it is unclean or whether it is clean"—
  - B "I touched, and I do not know which of the two of them I touched"—
  - C R. Aqiba declares unclean.
  - D And sages declare clean.
  - E R. Yose declares unclean in [the case of] all of them but declares clean in the case of the path,
  - F for it is the way of men to walk, and it is not their way to touch.
- **5:3** A Two paths, one unclean and one clean—
  - B one walked in one of them, and he prepared clean things, and they were eaten—
  - C he sprinkled and repeated and is clean-
  - D he walked in the second and prepared clean things—
  - E lo, these [second ones] are clean.
  - F If the first remained,
  - G these and these are suspended.
  - H If he did not become clean in the meanwhile,
  - I the first are suspended,
  - J and the second are burned.
- **5:4** A The creeping thing and the frog in public domain—
  - B he touched one of them and prepared clean things and they are eaten—
  - C he immersed, touched the second, and prepared clean things—
  - D lo, these are clean.
  - E If the first remain, these and these are suspended.
  - F If he did not immerse in the meanwhile,
  - G the first are suspended, and the second are burned.
- **5:5** A Two paths, one unclean and one clean—
  - B [If] he walked in one of them and prepared clean things,
  - C and his fellow came and walked in the second and prepared clean things—
  - D R. Judah says, "If they are interrogated, this one by himself and this one by himself, they are clean.
  - E "And if they are interrogated, the two of them at one time, they are unclean."
  - F R. Yose says, "One way or the other, they are unclean."
- 5:6 A Two loaves, one unclean and one clean—
  - B one ate one of them and prepared clean things,
  - C and his fellow came and ate the second and prepared clean things—

- D R. Judah says, "If they are interrogated, this by himself and the other by himself, they are clean.
- E "And if the two of them are interrogated at one time, they are unclean."
- F R. Yose says, "One way or the other, they are unclean."
- 5:7 A He who sat down in public domain, and someone came and stepped on his garments—
  - B or someone spit, and he touched his spit—
  - C because of his spit, they burn the heave offering,
  - D and as to his garments, they follow the majority.
  - E [If] someone went to sleep in public domain and arose—
  - F "his utensils are unclean with *midras* uncleanness," the words of R. Meir.
  - G And sages declare clean.
  - H [If] one touched someone at night, and it is not known whether he is alive or dead, and in the morning he arose and found him dead—
  - I R. Meir declares clean.
  - J And sages declare unclean,
  - K for all the unclean things [are adjudged] as at the time that they are found.
- **5:8** A [If there is] one [female] idiot in the village—
  - B or [one] gentile woman—
  - C or one Samaritan woman—
  - D all drops of spit which are in the village are unclean.
  - E He on whose garments a woman has stepped,
  - F or next to whom a woman sat down on a ship—
  - G if she knows him, that he eats heave offering—
  - H his utensils are clean.
  - I And if not, he will interrogate her.
- 5:9 A A witness says, "He was made unclean," and he says, "I was not made unclean"— B he is clean.
  - C Two say, "You were made unclean," and he says, "I was not made unclean"—
  - D R. Meir declares unclean.
  - E And sages say, "He is believed concerning himself."
  - F A witness says, "He was made unclean," and two say, "He was not made unclean"—
  - G whether in private domain or public domain—
  - H he is clean.
  - I Two say, "He was made unclean," and one says, "He was not made uncleanness"—
  - J whether in private domain or in public domain—
  - K he is unclean.
  - L A witness says, "He was made unclean," and a witness says, "He was not made unclean"—
  - M a woman says, "He was made unclean," and a woman says, "He was not made unclean"—
  - N [if the case concerns] private domain, he is unclean.
  - O [If the case concerns] public domain, he is clean.
- **6:1** A A place which was private domain and became public domain and once again was made private domain—
  - B when it is private domain, a matter of doubt concerning it is deemed unclean.

- C When it is public domain, a matter of doubt concerning it is clean.
- D He who was on the point of death in private domain—
- E and they brought him out to the public domain, and brought him back to private domain—
- F when he is in the private domain, a matter of doubt concerning him is deemed unclean.
- G When he is in the public domain, a matter of doubt concerning him is clean.
- H R. Simeon says, "The public domain intervenes."
- **6:2** A Four matters of doubt does R. Joshua declare unclean, and do sages declare clean.
  - B How so?
    - C (1) the unclean person stands and the clean person passes by—
    - D (2) the clean person stands and the unclean person passes by—
    - E (3) the unclean thing is in the private domain and the clean thing is in the public domain—
    - F (4) the clean thing is in the private domain and the unclean thing is in the public domain—
    - G it is a matter of doubt whether he touched or whether he did not touch—
    - H it is a matter of doubt whether he overshadowed or whether he did not overshadow—
    - I it is a matter of doubt whether he moved or whether he did not move—
    - J R. Joshua declares unclean.
    - K And sages declare clean.
- 6:3 A A tree which is standing in public domain, and the uncleanness is in it
  - B one climbed to its top—
  - C there is doubt whether he touched or whether he did not touch—
  - D his matter of doubt is deemed unclean.
  - E He put his hand into the hole in which the uncleanness is located—
  - F it is a matter of doubt whether he touched or whether he did not touch—
  - G his matter of doubt is deemed unclean.
  - H A shop which is unclean and open to the public domain—
  - I it is a matter of doubt whether he went in or whether he did not go in—
  - J his matter of doubt is deemed clean.
  - K It is a matter of doubt whether he touched or whether he did not touch—
  - L his matter of doubt is deemed clean.
  - M Two shops, one unclean and one clean—
  - N one entered one of them—
  - O it is a matter of doubt whether he entered the unclean one, or whether he entered the clean one—
  - P his matter of doubt is deemed unclean.
- 6:4 A As much as you can multiply doubts and doubts about doubts—
  - B in connection with private domain, it is unclean;
  - C in connection with public domain, it is clean.
  - D How so?
  - E One entered an alley, and (1) the uncleanness is in the courtyard—
  - F it is a matter of doubt whether he entered [the courtyard] or whether he did not enter—
  - G (2) uncleanness is in the house—
  - H it is a matter of doubt whether he entered or whether he did not enter—
  - I (3) and even if he did enter—
  - J it is a matter of doubt whether it was there or whether it was not there—
  - K (4) and even if it was there—

- L it is a matter of doubt whether it contains sufficient bulk or whether it does not contain sufficient bulk—
- M (5) and even if it does contain a sufficient bulk to convey uncleanness—
- N it is a matter of doubt whether it is uncleanness or whether it is cleanness—
- O (6) and even if it is uncleanness—
- P it is a matter of doubt whether he touched it or whether he did not touch it—
- Q his matter of doubt is deemed unclean.
- R R. Eleazar says, "A matter of doubt concerning entry is deemed clean.
- S "A matter of doubt concerning contact with that which is unclean is deemed unclean."
- 6:5 A One entered the valley during the rainy season—
  - B and the uncleanness is in a certain field,
  - C and he said, "I walked in that place, but I do not know whether I entered that particular field, or whether I did not enter [it]"—
  - D R. Eleazar declares clean.
  - E And sages declare unclean.
- **6:6** A A doubt concerning private domain is deemed unclean—
  - B until one will say, "I did not touch it."
  - C A matter of doubt in the public domain is deemed clean—
  - D until one will say, "I did touch it."
  - E What is public domain?
  - F The paths of Bet Gilgul, and the like of them—
  - G [they are] private domain in regard to the Sabbath and public domain with regard to uncleanness.
  - H Said R. Eleazar, "The paths of Bet Gilgul were mentioned only because they are regarded as private property for both purposes.
  - I Paths which lead down to cisterns, pits, caverns, and winepresses—
  - J [are] private domain with regard to the Sabbath and public domain with regard to uncleanness.
- 6:7 I A The canyon—
  - B in the dry season—
  - C is private domain in respect to the Sabbath, and public domain in respect to uncleanness.
  - D And in the rainy season—
  - E it is private domain for both.
- **6:8** II A A basilica—
  - B is private domain in respect to the Sabbath and public domain in respect to uncleanness.
  - C R. Judah says, "If one stands at this entrance and sees those that enter and leave through that entrance,
  - D "it is private domain for both;
  - E "and if not, it is private domain for the Sabbath, and public domain in respect to uncleanness."
- **6:9** III A The forum—

- B is private domain for the Sabbath, and public domain for uncleanness.
- C And so too the sides.
- D R. Meir says, "The sides are private domain for both."
- IV E The colonnades are private domain for the Sabbath, and public domain for uncleanness.
- V F A courtyard which the public enters through one antry and leaves through another
  - G is private domain for the Sabbath and public domain for uncleanness.
- 7:1 A The potter who left his pots and went down to drink—
  - B the innermost ones are clean.
  - C And the outermost ones are unclean.
  - D Said R. Yose, "Under what circumstances? When they are untied. But when they are tied up, the whole is clean."
  - E He who gives over his key to an *Am haares*—the house is clean,
  - F for he gave him only [the charge of] guarding the key.
- **7:2** A He who leaves an *Am haares* inside his house awake and found him awake—
  - B asleep and found him asleep—
  - C awake and found him asleep—
  - D the house is clean.
  - E [If he left him] sleeping and found him awake—
  - F "the house is unclean," the words of R. Meir.
  - G And sages say, "Unclean is only [the space] up to the place to which he stretch out his hand and touch."
- 7:3 A He who leaves workers in his house—
  - B "the house is unclean," the words of R. Meir.
    - C And sages say, "Unclean is only [the space] up to the place to which they can reach out their hands and touch."
- 7:4 A The wife of a *haber* who left the wife of an *Am haares* grinding [grain] in her house—
  - B [if the sound of] the millstones ceased—
    - C the house is unclean.
    - D The millstones did not cease—
    - E unclean is only [the space] up to the place to which she can reach out her hand and touch.
    - F [If] they were two, one way or the other [whether or not the grinding ceased],
    - G "the house is unclean,
    - H "for one grinds, and one snoops about," the words of R. Meir.
    - I And sages say, "Unclean is only [the space] up to the place to which they can reach out their hands and touch."
- 7:5 A He who leaves an *Am haares* in his house to guard it—
  - B when he sees those that enter and those that leave,
  - C the foods, liquids, and open clay utensils are unclean.
  - D But the couches and seats and clay utensils which are sealed with a tight seal are clean.
  - E And if he does not see either those that enter or those that leave,
  - F even if he was immobilized,

- G even if he was tied up,
- H everything is unclean.
- 7:6 A The tax collectors who entered the house—
  - B the house is unclean.
    - C If there is a gentile with them,
  - D they are believed to state, "We did not enter."
  - E But they are not believed to state, "We entered, but we did not touch [anything]."
  - F The thieves who entered the house—
  - G unclean is only the place [trodden by] the feet of the thieves.
  - H And what do they render unclean?
  - I The foods, and the liquids, and clay utensils which are open.
  - J But the couches and the seats and clay utensils which are sealed with a tight seal are clean.
  - K If there is a gentile with them, or a woman,
  - L everything is unclean.
- 7:7 A He who leaves his utensils in the wall niche of the bathhouse
  - B R. Eleazar b. Azariah declares clean.
  - C And sages say, "[They are not clean] unless one will give him [the attendant] the key, or a seal, or unless he will make a mark."
  - D He who leaves his utensils from one vintage to the next vintage—his utensils are clean.
  - E And in the case of an Israelite, [they are not clean] unless he will testify, "In my heart was [the intention] to guard them."
- **7:8** A He who was clean, and he changed his mind about eating [heave offering]
  - B R. Judah declares [him] clean,
  - C for it is the way of unclean people to separate from him.
  - D And sages declare unclean.
  - E [If] his hands were clean, and he changed his mind about eating,
  - F even though he said, "I know that my hands have not been made unclean, "
  - G his hands are unclean,
  - H for the hands are busy.
- **7:9** A The woman who entered in to take out a piece of bread for a beggar,
  - B and she came out and found him standing by the side of loaves [of bread] of heave offering—
  - C and so, the woman who went out and found her girl friend stirring up coals under a pot of heave offering—
  - D R. Aqiba declares unclean.
  - E And sages declare clean.
  - F Said R. Eleazar b. Pila, "And on what account does R. Aqiba declare unclean and do sages declare clean?
  - G "Because women are gluttonous.
  - H "For she is suspect of uncovering the pot of her girl friend to find out what she is cooking."
- **8:1** A He who lives with an *Am haares* in a courtyard,
  - B and forgot utensils in the courtyard—
  - C even jars tightly sealed with a stopper,

- D or an oven tightly sealed with a stopper—
- E lo, these are unclean.
- F R. Judah declares clean in the case of the oven, when it is tightly sealed with a stopper.
- G R. Yose says, "Also the oven is unclean, unless one will make for it a partition ten handbreadths high."
- 8:2 A He who deposits utensils with an *Am haares*
  - B they are unclean with corpse uncleanness and unclean with *midras* uncleanness.
  - C If he [the *Am haares*] knows him [the depositor], that he eats heave offering,
  - D they are clean of corpse uncleanness but unclean with *midras* uncleanness.
  - E R. Yose says, "If one gave into his keeping a box full of clothing,
  - F "when it is tightly packed,
  - G "they are unclean with *midras* uncleanness.
  - H "If it is not tightly packed, they are unclean with *maddaf* uncleanness"—
  - I even though the key is in the hand of the owner.
- 8:3 A He who loses something on one day and found it on the same day
  - B it is clean.
  - C [If he lost it] by day and found it [the next] night,
  - D [lost it] by night and found it [the next] day
  - E [lost it] by day and found it on the next day—
  - F it is unclean.
  - G This is the general principle: Any object over which has passed the night or part of it [the night]—it is unclean.
  - H He who spreads out utensils [to dry]—
  - I in the public domain—they are clean.
  - J And [if he did so] in private domain—they are unclean.
  - K And if he was guarding them [in private domain], they are clean.
  - L [If] they fell, and, [having lost sight of them], he went to bring them in, they are unclean.
  - M [If] his dipper fell into the well of an *Am haares* and he went to get something with which to get it up—it is unclean,
  - N because it rested in the domain of an *Am haares* for one moment.
- 8:4 A He who leaves his house open and found it open,
  - B locked and found it locked,
    - C open and found it locked—
    - D it is clean.
    - E [If he left it] locked, and found it open—
    - F R. Meir declares unclean.
    - G And sages declare clean,
    - H for there were thieves, but they changed their minds and went away.
- 8:5 A The wife of an *Am haares* who went into the house of a *haber* to get his [the *haber's*] son, or his daughter, or his beast—
  - B the house is clean,
  - C because she entered without permission.
- **8:6** A A general rule did they state in connection with clean [foods]:

- B Whatever is set aside for human consumption—it is susceptible to uncleanness until it is unfit for food for a dog.
- C And whatever is not set aside for human consumption—it is insusceptible to uncleanness until it is designated for man.
- D How so?
- E A young pigeon which fell into the winepress, and one gave thought to it to bring it up for a gentile—
- F it is susceptible to uncleanness.
- G [And if one gave thought to bring it up] for a dog—it is insusceptible to uncleanness.
- H R. Yohanan b. Nuri declares it susceptible to uncleanness.
- I [If] a deaf-mute, an imbecile, or a minor gave thought to it, it is insusceptible to uncleanness.
- J If they brought it up, it is susceptible to uncleanness,
- K for they have the power of deed, but they do not have the power of [effective] intention.
- 8:7 A The outer sides of utensils which were made unclean with liquids
  - B R. Eliezer says, "They render liquids unclean, but they do not spoil foods."
  - C R. Joshua says, "They render liquids unclean, and they spoil foods."
  - D Simeon the brother of Azariah says, "Neither thus nor so, "but liquids which were made unclean on the outer sides of the utensils—
  - E "render unclean at one remove and render unfit at one [further] remove."
  - F Lo, this one [heave offering] says, "The things that made you [liquids] unclean did not make me unclean, but you made me unclean."
- **8:8** A (1) a kneading trough which lay on an incline,
  - (2) and the [unclean] dough is above,
  - (3) and running liquid is below—
  - B three pieces of dough [together making up] an egg's bulk—
  - C they are not joined together.
  - D And two—they are joined together.
  - E R. Yose says, "Even two are not joined together,
  - F "unless they confine the liquid closely."
  - G And if it was standing liquid,
  - H even if [the pieces of dough that made up the egg's bulk] were small as a mustard seed—it is joined together.
  - I R. Dosa says, "Food broken into crumbs is not joined together [to make up the egg's bulk]."
- **8:9** A A stick which is wholly covered by unclean liquids—
  - B "once one has stuck it into the pool [before total immersion], it is clean," the words of Joshua.
  - C And sages say, "Until one will immerse the whole thing."
  - D A jet [of liquid], [water on] an incline, and flowing liquid—
  - E are not a connector either for uncleanness or for cleanness.
  - F The rut [of water] is a connector for uncleanness and for cleanness.
- 9:1 A Olives—
  - B from what time do they receive uncleanness?

- C "After they exude the sweat of the vat,
- D "but not the sweat of the basket, "
- E in accord with the words of the House of Shammai.
- F R. Simeon says, "The measure [prescribed time] of sweat is three days."
- G The House of Hillel say, "After three [olives] stick together."
- H Rabban Gamaliel says, "After the work of preparing them is completed."
- I And sages rule in accord with his words.
- 9:2 A [If] one has finished gathering but is going to buy [more]—
  - B finished buying [more] but is going to borrow [still more]—
  - C [if] a time of mourning or a wedding feast befell him,
  - D or an accident—
  - E even [if] *Zabim* and *Zabot* [= Lev. 15] walk on them,
  - F they are clean.
  - G [If] unclean liquids fell on them,
  - H unclean is only the place which they touched.
  - I And the sap which comes forth from them is clean.
- **9:3** A [When] the work of preparing them is completed, lo, these are susceptible to uncleanness.
  - B [If] unclean liquids fell on them—
  - C the sap which exudes from them—
  - D R. Eliezer declares clean.
  - E And sages declare unclean.
  - F Said R. Simeon, "They did not differ concerning the sap which exudes from the olives, that it is insusceptible to uncleanness.
  - G "And concerning what did they differ?
  - H "Concerning that which exudes from the [oil] vat,
  - I "for:
  - J "R. Eliezer declares clean.
  - K "And sages declare unclean."
- 9:4 A He who completes [gathering] his olives but left aside one basket
  - B "He should give it in the presence of the priest, "
  - C the words of R. Meir.
  - D R. Judah says, "Let him give [him] the key at once."
  - E R. Simeon says, "Within twenty-four hours."
- 9:5 A He who leaves olives in the press so that they will grow soft—
  - B so that they will be easy to press—
  - C lo, these are susceptible to uncleanness.
  - D [If he does so] so that they will grow soft so that he may salt them—
  - E The House of Shammai say, "They are susceptible to uncleanness."
  - F And the House of Hillel say, "They are not susceptible to uncleanness."
  - G He who crushes olives [of heave offering] with unclean hands—
  - H he has rendered them unclean.
- 9:6 A He who leaves his olives on the roof to dry them,
  - B even if they are [piled] a cubit in height—

- C they are not made susceptible to uncleanness.
- D [If he put them in the house so that they might putrefy and is going to bring them up to the roof—
- E [if] he put them on the roof to putrefy or to open—
- F lo, these are susceptible to uncleanness.
- G [If] he put them in the house until he could keep watch over his roof,
- H or so until he might bring them to some other place—
- I they are not susceptible to uncleanness.
- **9:7** A [If] one wanted to take from them [enough for] a single pressing, or [enough for] two pressings—
  - B the House of Shammai say, "Let him set apart in a state of uncleanness,
  - C "and cover up in a state of cleanness."
  - D The House of Hillel say, "Also: he covers up in a state of uncleanness."
  - E R. Yose says, "He digs out with metal axes and takes the olives to the press in a state of uncleanness."
- 9:8 A The [dead] creeping thing which is found in the millstones—
  - B unclean is only the place which it touches.
    - C [If] it was running liquid—
    - D the whole is unclean.
    - E [If] it is found on the leaves [which cover up the mass of olives],
    - F let them ask the olive press workers to state, "We did not touch."
    - G [If] it was touching the mass,
    - H even if it is the size of a barley grain—
    - I it is unclean.
- **9:9** A [If the insect] was found on top of broken-off blocks, and it touches as much as an egg's bulk—
  - B it is unclean.
  - C [If it touched] broken-off blocks on top of other broken-off blocks,
  - D even though it touches as much as an egg's bulk—
  - E unclean is only the place which it touches.
  - F [If an insect is found] between the wall and the olives,
  - G it [the mass of olives] is clean.
  - H [If] it is found on the roof, [those still in] the vat are clean.
  - I [If] it is found in the vat,
  - J those on the roof are unclean.
  - K [If] it is found burned [and clean] on the olives—
  - L and so a scorched rag—
  - M it is clean.
  - N For all [conditions of]uncleanness are [decided in accord with] the time that they are found.
- **10:1** A He who locks the olive workers in the press,
  - B utensils were there, unclean with *midras* uncleanness—
  - C R. Meir says, "The olive press is unclean."
  - D R. Judah says, "The olive press is clean."

- E R. Simeon says, "If to them the utensils were clean, the olive press is unclean, and if to them the utensils were unclean, the olive press is clean."
- F Said R. Yose, "And on what account are they unclean? But because *amme haares* are not experts in the laws about shifting."
- **10:2** A The olive workers who were entering and leaving,
  - B and unclean liquids were in the olive press—
  - C if there is [sufficient space] between the liquids and the olives so that they can dry their feet on the ground—
  - D lo, these [olives] are clean.
  - E The olive workers and the grape gatherers before whom uncleanness was found—
  - F they are believed to say, "We did not touch it."
  - G And so the children among them.
  - H They go outside the door of the olive press and defecate behind the wall, and they are clean.
  - I How far are they to go and be clean?
  - J So far that one may [still] see them.
- **10:3** A The olive workers and the grape gatherers—
  - B "once one has brought them to the domain of the cavern—
  - C "that suffices," the words of R. Meir.
  - D R. Yose says, "One must stand over them until they immerse."
  - E R. Simeon says, "If to them they are clean, one must stand over them until they immerse.
  - F "If to them they are unclean, one need not stand over them until they immerse."
- **10:4** A He who places [grapes into the winepress] from [what was stored in] baskets or from what was spread out on the ground—
  - B The House of Shammai say, "He places with clean hands.
  - C "And if he placed with unclean hands, he has rendered them unclean."
  - D The House of Hillel says, "He places with unclean hands.
  - E "And he separates his heave offering in cleanness."
  - F [He who puts grapes into the winepress] from the grape basket or from what is spread out on leaves—
  - G all agree that he puts them in with clean hands.
  - H And if he puts them in with unclean hands, he has rendered them unclean.
- **10:5** A He [who is unclean] who eats [grapes] from the baskets and from what is spread out on the ground—
  - B even though they burst open and were dripping into the winepress—
  - C lo, the press is clean.
  - D [If one ate from grapes which were] in the grape basket and from what is spread out on leaves,
  - E and there fell from it [into the vat] a single berry—
  - F if it had a seal,
  - G [what is in the vat] is clean.
  - H If it had no seal, [what is in the vat] is unclean.
  - I If [a cluster of] grapes [with stalks] fell from it [into the vat] and one trampled them in an empty part,

- if there was there an egg's bulk exactly, J
- Κ it [the vat] is clean.
- [If there is there] more than an egg's bulk, it [the vat] is unclean, L
- since as soon as the first drop exuded, it was made unclean, Μ
- by [the remainder which is] an egg's bulk in volume. Ν
- 10:6 He who was standing and talking at the edge of the cistern, and spit spurted from his А mouth
  - it is a matter of doubt whether it reached the pit or whether it did not reach the pit— В
  - the matter of doubt is deemed clean. С
- 10:7 He who emptied out the cistern, and a dead creeping thing was found in the first [jarful]-А
  - they all are unclean. В
  - [If it was found] in the last [jarful]— С
  - it is unclean, but all the rest are clean. D
  - Ε Under what circumstances?
  - F When he drew out [the wine] with each one [of the jars].
  - G But if he was drawing out with a ladling jar,
  - [if] a dead creeping thing was found in one of them, Η
  - it alone is unclean. Ι
  - J Under what circumstances?
  - Κ When he examined but did not cover up,
  - or he covered but did not inspect. L
  - [If he] was both inspecting and covering— Μ
  - and a dead creeping thing is found-Ν
  - in [one] jar—the whole [cistern] is unclean; 0
  - Р in the cistern—the whole [cistern] is unclean;
  - in the ladling jar—the whole [cistern] is unclean. Q
- 10:8 [The space] between the rollers and the grape skins is public domain. А
  - В [The part of] the vineyard which is in front of the grape gatherers is private domain.
  - С [That which is] behind the grape gatherers is public domain.
  - Under what circumstances? D
  - Е When the public goes in by one end and goes out by the other.
  - An implement of the olive press and of the winepress and the olive truss, F
  - G when they are of wood,
  - one dries them off and they are clean. Η
  - When they are of reed grass, Ι
  - one leaves them unused for twelve months, J
  - or one scalds them in hot water. Κ
  - R. Yose says, "If one put them in a stream of the river, it suffices." L

## MIQVAOT

1:1 Six grades in gatherings [of water], this above that, and this above that: Α Ι

В Water in ponds-

- С (1) An unclean person drank, and a clean person drank—
- D he is unclean.
- E (2) An unclean person drank and drew with a clean utensil-
- F it is unclean.
- G (3) An unclean person drank, and a loaf of heave offering fell-
- Η if he rinsed, it is unclean.
- And if he did not rinse, it is clean. T
- 1:2 (4) [If] one drew with an unclean utensil, and a clean person drank А
  - В he is unclean.
  - С (5) [If] one drew [water] with an unclean utensil and drew [water] with a clean utensil — D it is unclean.
  - E (6) [If] one drew with an unclean utensil, and a loaf of heave offering fell [into the water], if he rinsed [it off], it is unclean, and if he did not rinse it, it is clean.
- 1:3 (7) Unclean water fell, and a clean person drank— he is unclean. А
  - (8) [If] unclean water fell into it, and one drew with a clean utensil—it is unclean. В
  - С (9) [If] unclean water fell, and a loaf of heave offering fell [into it], if he rinsed, it is unclean, and if he did not rinse, it is clean.
  - R. Simeon says, "Whether or not he rinsed, it is unclean." D
- 1:4 Α [If] a corpse fell into it, or the unclean person walked in it, and a clean person drank—he is clean.
  - В All the same are (1) water of ponds, (2) water of cisterns, (3) water of ditches, (4) water of caverns, (5) water of rain drippings which have stopped, and (6) immersion pools which do not contain forty seahs:
  - С during the rainy season, all are clean.
  - [When] the rain ends, D
  - E those that are near the village and the road are unclean.
  - F And those that are far are clean,
  - G until the larger numbers of people have passed by.
- 1:5 When is their purification? А
  - The House of Shammai say, "After they have formed the greater part and overflowed." В
  - And the House of Hillel say, "[If] they formed the greater part even though they did not С overflow."
  - R. Simeon says, "[If] they overflowed, even though they did not form the greater part." D
  - [When purified], they are suitable for *hallah* and for the washing of hands therefrom. E

## 1:6 Α Above them:

Π

- В Water of rain drippings which have not ceased.
  - (1) [If] an unclean person drank [from it], and [afterward] a clean person drank— С he is clean.
  - D (2) [If] an unclean person drank and drew [water] with a clean utensil it is clean.
  - E (3) [If] an unclean person drank, and a loaf of heave offering fell, even though he rinsed-
  - - it is clean.

		F	(4) [If] one drew with an unclean utensil, and a clean person drank		
		a	he is clean.		
		G	(5) [If] one drew with an unclean utensil and drew with a clean utensil it is clean.		
		Н	(6) [If] one drew with an unclean utensil, and a loaf of heave offering fell, even		
			though he rinsed—		
			it is clean.		
		Ι	(7) [If] unclean water fell, and a clean person drank		
			he is clean.		
		J	(8) [If] unclean water fell, and one drew with a clean utensil		
			it is clean.		
		Κ	(9) [If] unclean water fell, and a loaf of heave offering fell, even though he		
			rinsed—		
		-	it is clean.		
		L	They are suitable for heave offering and for rinsing the hands therefrom.		
,		А	Above them:		
	III	В	A pool of water which has forty <i>seahs</i> ,		
		С	in which they immerse and dunk.		
		D	Above them:		
	IV	Е	A spring, whose waters are sparse, and in which drawn water forms the greater		
			part:		
		F	it is equivalent (1) to the pool,		
		G	to render clean by standing water;		
		Η	and (2) to a fountain,		
		Ι	to dunk in it in any amount [of water] at all.		
5		А	Above them:		
	V	В	Smitten [spring] water—		
		С	which render clean when they are flowing.		
		D	Above them:		
	VI	Е	Living water—		
		F	in which [take place] immersion for Zabim,		
		G	and sprinkling for lepers;		
		Н	and which is suitable to mix the purification water.		
	А	The unclean person who went down to immerse—			
	В	it is a doubt whether he immersed or whether he did not immerse—			
	С	[and] even if he did immerse—			
	D	it is a doubt whether there are forty <i>seahs</i> in it, or whether there are not—			
	Е	two immersion pools, in one of which there are forty <i>seahs</i> , and in one of which there are			
		not forty seahs—			
	F	he immersed in one of them and does not know in which one of them he immersed-			
	G	his m	atter of doubt is deemed unclean.		
2	А	An in	nmersion pool which was measured and found lacking [forty <i>seahs</i> ]—		
	R		ngs requiring cleanness which were made depending on it—		

- all things requiring cleanness which were made depending on it— retroactively— B C

1:7

1:8

2:1

2:2

- D whether in private domain or whether in public domain—
- E are unclean.
- F Under what circumstances?
- G With reference to a major uncleanness.
- H But with reference to a minor uncleanness:
- I for example,
  - (1) [if] one ate [a half-loaf of] unclean foods,
  - (2) drank [a quarter-qab of] unclean liquids,
  - (3) one's head and the greater part of one's body came into drawn water,
  - (4) or three *logs* of drawn water fell on one's head and the greater part of one's body
- J and he went down to immerse—
- K it is a matter of doubt whether he immersed or did not immerse—
- L and even if he immersed,
  - it is a matter of doubt whether there are forty *seahs* [of rainwater] in it or there are not [forty *seahs*] in it—
- M two immersion pools, in one of which there are forty *seahs*, and in one of which there are not—
- N one immersed in one of them and does not know in which one of them he immersed—
- O his matter of doubt is deemed clean.
- P R. Yose declares unclean.
- Q For R. Yose says, "Everything which is in the assumption of being unclean always remains in its unfitness until it will be known that it has been cleaned.
- R "But its matter of doubt, when it pertains to its becoming unclean and conveying uncleanness, is clean."
- **2:3** A A doubt about drawn waters which sages have declared clean
  - B it is a matter of doubt whether they [three *logs* of drawn water] fell or did not fall.
  - C [And] even if they did fall,
    - it is a matter of doubt whether there are forty seahs in it or whether there are not-
  - D two immersion pools, in one of which there are forty *seahs* and in one of which there are not—
  - E it fell into one of them, and one does not know into which one of them it fell—
  - F its [the pool's] matter of doubt is deemed clean,
  - G because it has something upon which to depend.
  - H [If] both of them were less than forty *seahs*, and if [drawn water] fell into one of them and one does not know into which of them it fell—
  - I its matter of doubt is deemed unclean,
  - J for it has nothing upon which to depend.
- **2:4** A R. Eliezer says, "A quarter-*qab* of drawn water
  - B "in the beginning,
  - C "renders the immersion pool unfit.
  - D "And three *logs* on the surface of the water."
  - E And sages say, "Whether in the first place or at the end, its measure is three *logs*."
- **2:5** A An [empty] ritual pool which has in it three holes of drawn water, each one [containing] a *log* [of drawn water]—
  - B if it is known that forty *seahs* of suitable water have fallen into it,
  - C before the water spread to the third hole,

- D it is fit.
- E And if not, it is unfit.
- F And R. Simeon declares fit,
- G because it is like a ritual pool [containing drawn water] near a [fit] ritual pool.
- **2:6** A He who scrapes up mud [from the pool containing less than forty *seahs*, and heaps it] by the sides,
  - B and three *logs* [of water] drained from it—
  - C it is fit.
  - D [If] he was removing [the mud away from the pool] and three *logs* [of water] drained [down] into the pool,
  - E it is unfit.
  - F And R. Simeon declares fit,
  - G because he did not intend to draw [water].
- **2:7** A He who leaves [empty] wine jars on the top of the roof to dry them, and they filled with water—
  - B R. Eliezer says, "If it is the rainy season,
  - C "if there is in it as little water as is in the cistern,
  - D "he breaks them.
  - E "And if not, he does not break them."
  - F R. Joshua says, "One way or the other, he breaks them,
  - G "or turns them upside down.
  - H "But he does not empty them out [into a cistern]."
- **2:8** A The plasterer who forgot a lime pot in the cistern, and it filled with water—
  - B "if there was any amount of water flowing on top of it [the pot],
    - C "he breaks [it], and if not, he does not break [it]."
    - D the words of R. Eliezer.
    - E And R. Joshua says, "One way or the other, he does break it."
- **2:9** A He who arranges [empty] wine jars inside the cistern, and they filled with water,
  - B even though the cistern soaked up [all] its water,
    - C lo, this one breaks [them].
- **2:10** A A ritual pool which contains forty *seahs* of water and mud—
  - B R. Eliezer says, "They dunk [objects] in the water, and they do not dunk [them] in the mud."
    - C R. Joshua says, "In the water and in the mud."
    - D In what sort of mud do they immerse [objects]?
    - E In mud on the surface of which the water flows.
    - F [If] there was water on one side [only], R. Joshua agrees that they immerse in water, and they do not immerse in mud.
    - G Of what sort of mud did they speak?
    - H "In mud in which a reed will sink on its own," the words of R. Meir.
  - I R. Judah says, "A place [of mud] in which the measuring rod will not stand on its own."
  - J Abba Eleazar b. Dolai says, "A place [of mud] in which the plummet sinks."

- K R. Eliezer says, "That which goes down into the mouth of the jar [and cannot serve as a stopper]."
- L R. Simeon says, "That which goes into the spout of a waterskin [even if it can stop up a jar]."
- M R. Eleazar b. R. Sadoq says, "That which is measured in a *log* [measure, like a liquid]."
- **3:1** A R. Yose says, "Two immersion pools which [respectively] do not contain forty *seahs*
  - B "and into this one fell a *log* and a half [of drawn water],
  - C "and into that one [fell] a *log* and a half-
  - D "and [then] they were mingled together—
  - E "are fit,
  - F "since the category of unfitness never applied to them.
  - G "But: an immersion pool which does not contain forty *seahs* [of fit water]—
  - H "and three *logs* of drawn water fell into it—
  - I "and it was divided into two [parts]—
  - J "is unfit,
  - K "since the category of unfitness applied to it."
  - L And R. Joshua declares fit.
  - M For R. Joshua did say, "Any immersion pool which does not contain forty *seahs* [of fit water], and three *logs* of drawn water fell into it, and it lacks even so little in volume as a *qartob*—
  - N "it is fit,
  - O "because the [full] three *logs* are lacking in it."
  - P And sages say, "It always remains in its unfitness, until there will go forth from it its fullness and more."
- **3:2** A How so?
  - B The cistern which is in the courtyard—
  - C and three *logs* [of drawn water] fell into it—
  - D it always remains in its state of unfitness,
  - E until there will go forth from it its fullness and more.
  - F Or:
  - G until one will set up in the courtyard [another pool containing] forty seahs,
  - H and the upper [water] will be cleaned by the lower one.
  - I R. Eleazar b. Azariah declares unfit,
  - J unless it ceases.
- **3:3** A A cistern which is full of drawn water,
  - B and the water channel enters it and leaves from it—
  - C always is in its state of unfitness,
  - D until it will be reckoned that there do not remain of the first [unfit water] three *logs*.
  - E Two who were pouring [drawn water] into the immersion pool,
  - F this one [pours in] a *log* and a half-
  - G and this one pours in a *log* and a half-
  - H he who wrings out his garment and puts in [drawn water] from many places—
  - I and he who empties out the water cooler and puts in [water] from many places—
  - J R. Aqiba declares fit.
  - K And sages declare unfit.

- L Said R. Aqiba, "They did not say, *They pour, but He pours.*"
- M They said to him, "Neither thus nor so did they say, but *Into which fell three logs* [of drawn water]."
- **3:4** A [If three *logs* of drawn water fell or are poured into a pool] from one utensil, from two, and from three, they join together.
  - B [If three *logs* of drawn water fell into a pool] from four utensils, they do not join together.
  - C A person who had an emission of semen who was sick, upon whom nine *qabs* of water fell—
  - D and a clean person on whose head and the greater part of whose body three *logs* of drawn water fell—
  - E from one utensil, from two, and from three—they join together.
  - F From four—they do not join together.
  - G Under what circumstances?
  - H When the second began before the first ceased.
  - I And under what circumstances?
  - J When he did not intend to add more [drawn water].
  - K But if he intended to add more,
  - L even one *qartob* in the entire year
  - M they join together to form three *logs* [of drawn water].
- **4:1** A He who leaves utensils under the waterspout—
  - B all the same are large utensils and small utensils—
  - C and even utensils made of dung, of stone, and of dirt—
  - D it [the water] renders the immersion pool unfit.
  - E All the same is the one who leaves and the one who forgets, in accord with the words of the House of Shammai.
  - F And the House of Hillel declare clean in the case of the one who forgets.
  - G Said R. Meir, "They took a vote and the House of Shammai outnumbered the House of Hillel.
  - H "And they [the Shammaites] agree in the case of the one who forgets [not under the spout but] in the courtyard,
  - I "that it is clean."
  - J Said R. Yose, "Still the dispute stands in its place."
- **4:2** A He who leaves a tray under the waterspout
  - B if it has a rim,
  - C it [water gathered in it] renders the immersion pool unfit.
  - D And if not, it does not render the immersion pool unfit.
  - E [If] he set it upright to rinse [it], one way or the other, it does not render the immersion pool unfit.
- **4:3** A He who makes a cavity in the waterspout to catch the pebbles [in the rainwater]—
  - B [if it is] of wood, [it renders the immersion pool invalid as a receptacle to catch rainwater if it holds] any amount at all.
    - C [And if it is] of earthenware, [it renders the immersion pool invalid if it holds] a quarterlog.

- D R. Yose says, "Even in the case of one made of earthenware, [it renders the immersion pool invalid if it holds] any amount at all.
- E "The measure of the quarter-*log* was stated only in connection with the sherds of clay utensils."
- F [If] pebbles were rolling about inside it [the hole],
- G they render the immersion pool unfit.
- H [If] dirt fell into it and it was pressed tight, it is fit.
- I A water pipe which is narrow on one side and the other and wide in the middle
- J does not spoil [the immersion pool],
- K since it is not made as a receptacle.
- **4:4** A Drawn water and rainwater which mingled in the courtyard,
  - B or in a hollow,
  - C or on the steps of a cave—
  - D if the greater part is formed by fit [water], it is fit, and if the greater part is [formed by] unfit [water], it is unfit.
  - E Half and half-it is unfit.
  - F When?
  - G At the time that they mingled together before they reached the immersion pool.
  - H [if] they [each] were flowing in an unbroken stream into the water—
  - I if it is known that forty *seahs* of fit water fell into it before three *logs* of drawn water fell into it,
  - J it is fit.
  - K And if not, it is unfit.
- **4:5** A The trough which is [hewn] in the rock—
  - B (1) they do not draw water from it,
  - C (2) they do not mix [ashes of the red cow and water] in it,
  - D (3) they do not sprinkle from it,
  - E (4) it does not require a tightly stopped—up cover,
  - F and (5) it does not spoil the immersion pool.
  - G [If] it was a [movable] utensil, and one [then] attached it [to the rock] with plaster—
  - H (1) they do draw in it,
  - I (2) they do mix in it,
  - J (3) they do sprinkle from it,
  - K (4) it does require a tightly stopped—up cover,
  - L and (5) it does spoil the immersion pool.
  - M [If] it was perforated below or on the side, and it cannot hold any amount of water—it is suitable.
  - N And how large a hole must there be [so it is no longer a utensil with a receptacle]?
  - O As large as the spout of a waterskin.
  - P Said R. Judah b. Beterah, M`SH B: "A trough of Jehu was in Jerusalem, and it was perforated with a hole as large as the spout of a waterskin.
  - Q "And everything which required preparation in conditions of cleanness in Jerusalem was prepared depending upon it [for immersion].
  - R "And the House of Shammai sent and broke it down."
  - S For the House of Shammai say, "Until the greater part of it will be broken down, [it is still regarded as a utensil]."

- **5:1** A [The water of] a spring which one passed over [into] the trough is unfit.
  - B [If] one passed it over the edge in any amount—
  - C valid is what is outside [of the trough],
  - D for the [water of] a spring renders clean in any quantity at all.
  - E [If] one passed it over [into] a pond, and one [then] stopped it up,
  - F lo, it [the pond] is like an immersion pool.
  - G [If one then] went and made it continue to flow, it is [still] unfit for *Zabs* and for lepers and for mixing purification water therewith,
  - H until one knows that the first [water] has flowed away.
- 5:2 A [If] one passed it over utensils or over a bench—
  - B R. Judah says, "Lo, it is as it was."
  - C R. Yose says, "Lo, it is like an immersion pool,
  - D "and on condition that one not immerse on top of the bench."
- **5:3** A A spring which is drawn like a centipede—
  - B [if] one added to it [drawn water] and it was made to flow further—
    - C lo, it is as it was.
    - D [If] it [the spring] was standing [still] and one added to it [drawn water], and made it flow further—
    - E it is equivalent to an immersion pool, to purify in standing water,
    - F and to a spring, to immerse therein in any amount.
- **5:4** A "All the seas are like an immersion pool, as it is said, *The gathering of the waters he called seas* (Gen. 1:10)," the words of R. Meir.
  - B R. Judah says, "The great sea [the Mediterranean] is like an immersion pool. *Seas* is said only of something which contains many kinds of water."
  - C R. Yose says, "All the seas purify when they are running [water], but are unfit for *Zabs*, lepers, and for mixing purification water therefrom."
- **5:5** A Flowing water is like a spring.
  - B And that which drips is like an immersion pool.
  - C Testified R. Sadoq concerning flowing water which was more than dripping water [with which it was mixed] that it is fit.
  - D "And dripping water which one made into flowing water,
  - E "one sticks in even a staff, even a reed,
  - F "even a *Zab* and a *Zabah*,
  - G "one goes down and dips," the words of R. Judah.
  - H R. Yose says, "Anything which receives uncleanness—they do not stop the flow of water therewith."
- **5:6** A A wave which broke off, and in it are forty *seahs*
  - B and it fell on man and on utensils—
  - C they are clean.
  - D Any place in which are forty *seahs*—
  - E they dip and dunk:
  - F They dunk (1) in trenches, (2) in ditches,

and (3) in the tracks of an ass which are mixed in the valley.

- G The House of Shammai say, "They dunk in the mainstream."
- H The House of Hillel say, "They do not dunk."
- I And they agree that one dams it with utensils and dips in it.
- J And utensils with which one dammed—they are not deemed to have been dunked thereby.
- **6:1** A Any [pool of water] which is mingled with [water of] an immersion pool is [deemed to be as valid] as the immersion pool.
  - B Holes of the cave and clefts of the cave—
  - C one dunks in them as they are.
  - D A pit of the cavern—they do not dunk in it unless it [the hole between the pit and the immersion pool] is as large as the spout of a waterskin.
  - E Said R. Judah, "When? At the time that it stands by itself.
  - F "But if it does not stand by itself,
  - G "they dunk in it just as it is."
- **6:2** A A bucket which is full of utensils, which one dunked—
  - B lo, they [the utensils] are clean.
  - C And if it did not immerse,
  - D the water is not mingled [with that of the immersion pool],
  - E until it [the water in the bucket] is mingled [with the water of the pool] by [a stream] the size of the spout of a waterskin.
- **6:3** A Three immersion pools—
  - B in this one are twenty *seahs* [of fit water]
  - C and in this one are twenty *seahs* [of fit water],
  - D and in this one are twenty *seahs* of drawn water—
  - E and [the one containing] drawn [water] is at the side—
  - F and three people went down and dipped in them,
  - G and it [the water in the three pools] was mingled together—
  - H the immersion pools are clean.
  - I And the people who immersed are clean.
  - J [If] the one containing drawn [water] was in the middle,
  - K and three people went down and immersed in them,
  - L and they were mingled together—
  - M the immersion pools are as they were.
  - N And those who immersed are as they were.
- 6:4 A The sponge and the bucket which contained three *logs* of water,
  - B and they fell into the immersion pool—
  - C they have not rendered it unfit.
  - D For they said only, "Three *logs* which fell."
- 6:5 A The box and the chest which are in the sea—
  - B they do not dunk in them,
  - C unless they were pierced to the size of the stopper of the waterskin.
  - D R. Judah says, "In the case of a large utensil, four handbreadths. And in the case of a small one, its greater part [must be broken down]."

- E If it was a sack or a basket—
- F they dunk in them as they are,
- G since the water is mixed together.
- H [If] they were set under the water pipe, they do not spoil the immersion pool.
- I But they dunk them
- J and bring [them] out in the ordinary way.
- **6:6** A A defective earthenware vessel which is in the immersion pool,
  - B and one dunked the utensils in it—
  - C they are clean from their uncleanness.
  - D But they are unclean because of the clay utensil.
  - E If the water flowed over the top of it in any amount at all,
  - F they are clean.
  - G A spring which comes up out of an oven,
  - H and one went down and immersed in it—
  - I he is clean.
  - J And his hands are unclean.
  - K And if it was higher than it by the height of his hands,
  - L even his hands are clean.
- **6:7** A The intermingling of immersion pools is through a hole the size of the spout of a waterskin,
  - B in the thickness and capacity—
  - C two fingers turned around in full.
  - D [If there is] doubt whether it is the size of the spout of a waterskin or not the size of the spout of a waterskin,
  - E it is unfit,
  - F because it derives from the Torah.
  - G And so:
  - H the olive's bulk of a corpse, and the olive's bulk of carrion, and the lentil's bulk of a [dead] creeping thing.
  - I Whatever stops up the spout of the waterskin diminishes it.
  - J Rabban Simeon b. Gamaliel says, "[If it] is anything whatsoever that lives in the water—it is clean."
- **6:8** A They clean immersion pools:
  - B a higher pool by the lower pool,
  - C and a distant by a nearby [pool].
  - D How so?
  - E One brings a pipe of earthenware or lead,
  - F and puts his hand under it until it is filled with water,
  - G and draws it along and makes it touch.
  - H Even by as much as a hair's breadth suffices.
  - I [If] the upper one contains forty *seahs* [of fit water],
  - J and in the lower pool there is nothing—
  - K one draws [water and carries it] on the shoulder and puts it into the upper one,
  - L until there will descend into the lower one forty *seahs*.

- **6:9** A A wall which is between two immersion pools which was cracked perpendicularly—it joins together.
  - B [If the crack is] horizontal, it does not join together,
  - C until there will be in one place a hole the size of the spout of a waterskin.
  - D R. Judah says, "The rule is the opposite."
  - E [If] they flow together into one another through a hole [in the top of the dividing wall, they can be included together] if the height [of the connecting stream] is [only] the thickness of a garlic peel and the breadth, the size of the spout of a waterskin.
- **6:10** A "The outlet of a bath—
  - B "when it is in the middle [of the bath]—
  - C "spoils;
  - D "[if it is] on the side, it does not spoil,
  - E "because it is like an [unfit] immersion pool next to a fit immersion pool, " the words of R. Meir.
  - F And sages say, "If the bath holds a quarter-*log* before the water reaches the outlet, it is valid, and if not, it is invalid."
  - G R. Eleazar b. R. Sadoq says, "If it [the outlet] holds any water at all, it is invalid."
- **6:11** A The filter of the bath—
  - B the lower [pipe] is full of drawn water,
  - C and the upper [pipe] is full of fit water—
  - D if [the space] in front of the hole [holds] three *logs* [of drawn water]—it is unfit [as an immersion pool].
  - E How much must be the size of the hole for it to contain three *logs*?
  - F "One three-hundred-and-twentieth part of the pool," the words of R. Yose.
  - G R. Eleazar says, "Even if the bottom one is full of fit water, and the upper one is full of drawn water,
  - H "and there is opposite the hole three *logs*,
  - I "it is fit,
  - J "for they said only, 'Three *logs* which fell."
- **7:1** A There are things which raise the immersion pool and do not invalidate [it],
  - B invalidate and do not raise,
  - C do not raise and do not invalidate.
  - D These raise and do not invalidate:
  - E (1) the snow, (2) hail, (3) hoarfrost, (4) ice, (5) salt, and (6) thin mud.
  - F Said R. Aqiba, "R. Ishmael was arguing against me, saying,
  - G "Snow does not raise the immersion pool [to the requisite volume of fit water]"
  - H And there testified the men of Medva in his [Ishmael's] name, that he said to him, "Go and bring snow and make [of it] an immersion pool at the outset."
  - I R. Yohanan b. Nuri says, "Hailstones are like [drawn] water."
  - J How do they raise and not invalidate?
  - K An immersion pool which has forty *seahs*, but one—
  - L *a seah* of one of them fell into it and raised it—
  - M they thus turn out raising and not invalidating [the immersion pool].
- **7:2** A These invalidate and do not raise:

- B (1) [Drawn] water, whether unclean or clean,
  (2) and water in which food has been pressed or (3) seethed, (4) and grape skin wine before it has fermented.
- C How do they spoil and not raise [the immersion pool]?
- D An immersion pool which has forty *seahs* [of fit water], less a *qartob*
- E and a *qartob* of one of them fell into it—
- F they have not raised it[s volume].
- G It spoils it at three *logs*.
- H But (1) other liquids, and (2) fruit juice, and (3) brine, and (4) fish brine, and (5) grape skin wine which has fermented—
- I sometimes they raise, and sometimes they do not raise.
- J How so?
- K An immersion pool which contains forty *seahs*, lacking one—
- L *a seah* of one of them fell into it—
- M it does not raise it.
- N [If] it contained forty *seahs*, and one put in a *seah* and took out a *seah*—
- O lo, this is fit.
- **7:3** A [If] one rinsed in it [an immersion pool] baskets of olives and baskets of grapes, and they changed its color, it is valid.
  - B R. Yose says, "Dye water spoils it at the measure of three *logs* [of drawn water] I
  - C "but it does not spoil it through changing the color."
  - D [If] wine and olive sap fell into it and changed its color,
  - E it is unfit.
  - F What should one do?
  - G He should wait on it until rain falls and its color returns to the color of water.
  - H [If] there were forty *seahs* [of fit water] in it,
  - I one may draw [water in buckets and carry it] on his shoulder and pour it into it,
  - J until its [the pool's] color returns to the color of water.
- 7:4 A [If] wine or olive sap fell into it and changed the color of part of it [thewater],
  - B and forty *seahs* of [fit] water are not in it—
  - C lo, this one should not immerse in it.
- 7:5 A Three *logs* of [drawn] water—
  - B and into them fell a *qartob* of wine—
  - C and lo, their color is the color of wine—
  - D and they fell into the immersion pool—
  - E they have not rendered it unfit.
  - F Three *logs* of water, lacking a *qartob*—
  - G and a *qartob* of milk fell into them,
  - H and lo, their color is the color of the water—
  - I and they fell into the immersion pool—
  - J they have not rendered it unfit.
  - K R. Yohanan b. Nuri says, "All follows the color."
- 7:6 A An immersion pool which contains exactly forty *seahs*
  - B two people went down and immersed in it, one after the other—

- C the first is clean, and the second is unclean.
- D R. Judah says, "If the feet of the first one were touching the water [as the second immersed], even the second person is clean."
- E [If] one immersed the thick mantle in it and brought it up, and part of it is touching the water,
- F it [the pool still] is clean.
- G The cushion or mattress of leather—
- H once one has lifted their lips out of the water,
- I the water in them is deemed drawn water.
- J What should he do?
- K He should immerse them and raise them by their bottoms.
- **7:7** A [If] one immersed the bed therein,
  - B even though its legs sink down into thick mud—
    - C it is clean,
    - D because the water touched them before [the mud did].
    - E An immersion pool, the water of which is [too] shallow [to cover the body]—
    - F one presses down,
    - G even with bundles of wood,
    - H even with bundles of reeds,
    - I so that the [level of the] water may rise—
    - J and he goes down and immerses.
    - K An [unclean] needle which is located on the steps of the cavern—
    - L [if] one stirred the water to and fro—
    - M after a wave has broken over it,
    - N it is clean.
- 8:1 A The Land of Israel is clean, and its immersion pools are clean.
  - B The immersion pools of the peoples which are [located] outside of the Land are fit for those who have had a seminal issue,
  - C even though they have been filled with water from a swape well.
  - D Those which are in the Land of Israel which are outside the town gate are fit even for menstruating women.
  - E Those which are inside the town gate are fit for those who have had a seminal issue.
  - F And they are unfit for all [other] unclean people.
  - G R. Eleazar says, "Those which are near the town and the road are unclean,
  - H "because of laundry.
  - I "And those which are distant are clean."
- 8:2 A These are those who have had a seminal emission who require immersion:
  - B [if] one noticed urine [issuing] in drops or turbid—
  - C at the outset, he is clean.
  - D [If these occur] in the middle or at the end [of urinating], he is unclean.
  - E [If he notices them] from beginning to end of urination, he is clean.
  - F [If they are] white and viscous, he is unclean.
  - G R. Yose says, "Those which are white are like those which are turbid."
- **8:3** A "He who discharges thick drops from the penis is unclean," the words of R. Eleazar Hisma.

- B He who dreams erotic dreams by night and arose and found his flesh [penis] heated is [assumed to be] unclean.
- C "She who discharges semen on the third day [after having intercourse] is clean," the words of R. Eleazar b. Azariah.
- D R. Ishmael says, "Sometimes they are four periods, sometimes they are five, sometimes they are six."
- E R. Aqiba says, "They are always five."
- **8:4** A A gentile woman who discharged semen from an Israelite is unclean.
  - B An Israelite woman who discharged semen from a gentile is clean.
    - C The woman who had sexual relations and went down and immersed but did not clean the house is as if she did not immerse.
    - D A person who has had an emission who immersed and did not first urinate when he does urinate is unclean.
    - E R. Yose says, "In the case of a sick or old man, he is unclean.F. "In the case of a boy or a healthy man, he is clean."
- **8:5** A A menstruating woman who placed coins in her mouth and went down and immersed is clean on account of her uncleanness [as a menstruant],
  - B but she is unclean because of her spit.
  - C If she put her hair in her mouth, closed her hand, pressed her lips together—it is as if she did not immerse.
  - D He who kept hold on a man or on utensils and immersed them—they are unclean.
  - E And if he rinsed his hand in the water, they are clean.
  - F R. Simeon says, "He should loose his hold on them so that the water may come into them."
  - G The private parts, [and] the wrinkles—it is not necessary that water should come into them.
- **9:1** A These interpose on man:
  - 1. threads of wool,
    - 2. and threads of flax,
  - 3. and the ribbons which are on the heads of girls.
  - B R. Judah says, "Those of wool and those of hair do not interpose, because the water enters into them."
- 9:2 A 4. the matted hair over the heart,
  - 5. and [on] the beard,
  - 6. and the woman's privy parts,
  - 7. the pus outside the eye,
  - 8. and the hardened pus outside the wound,
  - 9. and the bandage which is on it,
  - 10. and dried juice,
  - 11. and dried clots of excrement which are on his flesh,
  - 12. and dough which is under the fingernail,
  - 13. and sweat crumbs,
  - B 14. and miry clay,
    - 15. and potter's clay,
    - 16. and road clay.
  - C What is miry clay?

This is clay of pits, as it is written, *And he brought me up out of a horrible pit, out of the miry clay* (Ps. 40:3).

- D Potter's clay is in accord with its literal sense.
- E R. Yose declares clean in the case of potter's [clay], and declares unclean in the case of that used for putty.
- F And road clay? The pegs by the roadsides—
- G In which they do not dip and in which they do not dunk.
- H And all other mud—they dunk in it when it is wet.
- I And one should not dip with the dust which is [still] on his feet.
- J And one should not dunk the kettle with soot, unless one scrapes.
- **9:3** A These are [things] which do not interpose:
  - 1. the matted hair of the head,
    - 2. and of the armpits,
    - 3. and of the privy parts of a man.
  - C R. Eliezer says, "All the same is the man and the woman:
  - D "Whatever one takes note of interposes, and whatever one does not take note of does not interpose."
- **9:4** A 4. Pus in the eye,

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- 5. and hardened pus in the wound,
- 6. and moist fruit juice,
- 7. and moist excrement which is on his flesh,
- 8. and excrement which is under the fingernail,
- 9. and a fingernail which is dangling:
- 10. the downy hair of the child
- B is not unclean and does not convey uncleanness.
- C The membrane that grows over a sore is susceptible to uncleanness and conveys uncleanness.
- **9:5** A These interpose in utensils:
  - B (1) pitch,
    - (2) and the gum of myrrh.
  - C On glass utensils—
  - D whether inside or outside.
  - E On the table, and on the tray, and on the couch—
  - F on the clean ones, they interpose,
  - G and on the dirty ones, they do not interpose.
  - H On the beds belonging to the householder it interposes, and on those belonging to the poor man, it does not interpose.
  - I On the saddle of the householder it interposes, and on that of the waterskin carriers, it does not interpose.
  - J On a packsaddle it interposes.
  - K Rabban Simeon b. Gamaliel says, "[It interposes only if the spot is at least] as big as an Italian *issar*
- **9:6** A On garments:
  - B On one side, it does not interpose.

- C On both sides, it interposes.
- D R. Judah says in the name of R. Ishmael, "Even if it is on one side only, [it interposes]."
- E R. Yose says, "[It interposes on the clothes] of the construction workers if on one side only; but [in the clothes of] the farmer only if on both sides." [Or: Mud used for building vs. mud of a cistern.]
- 9:7 A [As to] the aprons of pitch workers or potters or tree trimmers —they do not interpose.
  - B R. Judah says, "Even the aprons of the fruit driers are like them."
  - C This is the general rule:
  - D Whatever one takes note of interposes, and whatever one does not take note of does not interpose.
- **10:1** A All handles of utensils
  - (1) which one affixed not in their usual fashion,
  - B or (2) which one affixed in their usual fashion but did not fix firmly,
  - C or (3) which one did fix firmly but which broke—
  - D lo, these interpose.
  - E A utensil which one immersed downward—
  - F it is as if it did not immerse.
  - G [If] one immersed it in its usual way, without [immersing] the handle,
  - H [it is not deemed immersed] until he will turn it on its side.
  - I A utensil which is narrow on both ends and broad in the middle is not clean until one will turn it on its side.
  - J A flask the mouth of which is turned downward is not clean until one will make a hole on its side.
  - K The inkpot of an ordinary person is not clean until one will make a hole in its side.
  - L The inkpot of Joseph the Priest was perforated on its side.
- **10:2** A (1) The mattress and (2) the pillow of leather— lo, these require that the water come into them.
  - B (1) The round pillow, and (2) the ball, and (3) the shoemaker's last, and (4) the amulet, and (5) the phylactery do not require that the water come into them.
  - C This is the general principle: Whatever it is not the way to put in and take out—they immerse sealed up.
- **10:3** A These [are objects] which do not require that the water enter into them:
  - 1. the knots of the poor man,
    - 2. and the tassels,

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- 3. and the knotted thong of the sandal,
- 4. and the phylactery of the head when it is fastened tightly,
- 5. and that of the arm when it does not move up and down,
- 6. and the handgrip of a waterskin,
- 7. and the handgrip of a shepherd's wallet.
- **10:4** A These are [objects] which require that the water enter into them:
  - B 1. the knot of undergarments which [is tied to] the shoulder,
    - 2. and the hem of sheets (—it is necessary to unstitch—)
    - 3. and the phylactery of the head when it is not fastened tightly,

- 4. and that of the arm when it moves up and down,
- 5. and the straps of a sandal.
- C And clothing which one immersed washed—[they must remain in the water merely] until they bulge.
- D If one immersed them dry, [they must remain in the water] until they will bulge and cease from bulging.
- **10:5** A All handles of utensils which are [too] long and which one is going to cut off—
  - B one immerses them up to the place of [their proper] measure.
  - C R. Judah says, "[They are not clean] until one will immerse the whole object."
  - D The chain of a large bucket [is immersed to a length of four handbreadths [from the bucket],
  - E and that of a small [bucket] is [immersed to a length of ten [handbreadths from the bucket].
  - F They immerse them up to the place of [their proper] measure.
  - G R. Tarfon says, "[They are not clean] until one will immerse the whole ring."
  - H The rope which is tied to the basket is not connected, unless one has sewed [it on to the bucket].
- **10:6** A The House of Shammai say, "They do not immerse
  - (1) "[unclean] hot water in cold [immersion pool water],
    - (2) "and not cold in hot,
    - (3) "and not fresh water in foul,
  - (4) "and not foul water in fresh."
  - B The House of Hillel say, "They immerse."
  - C An [unclean] utensil which is full of liquid and which one immersed is as if it did not immerse.
  - D [If it is] full of urine, they regard it as if it were water.
  - E [If it is] full of purification water, [it is not clean] until the water [of the immersion pool that enters the utensil] exceeds the purification water.
  - F R. Yose says, "Even if it is a utensil which holds a *kor* and contains only a quarter-*log* [of purification water]—it is as if it did not immerse."
- **10:7** A All [unclean] foods join together to render the body unfit [for eating heave offering] at the measure of a half a loaf.
  - B All [unclean] liquids join together to render the body unfit at the measure of a quarter-*log*.
  - C This [rule] is more strict in the case of one who drinks unclean liquids than in the case of an immersion pool,
  - D for [in the present case] they treat other liquids as equivalent to water.
- **10:8** A [If] one ate unclean food or drank unclean liquids, immersed, then vomited them up—
  - B they are unclean,
  - C because they are not cleaned with the body.
  - D [If] he drank unclean water, immersed, and vomited it up—
  - E it is clean, because it is cleaned with the body.
  - F If one swallowed a clean ring, entered the Tent of the corpse, was sprinkled and repeated the sprinkling and immersed and then vomited it up—
  - G lo, it is as it was [clean].

- H If one swallowed an unclean ring, he immerses, eats heave offering, then vomited it up—
- I it is unclean and renders him unclean.
- J An arrow which is stuck in a man—when it is apparent to the eye, it interposes, and if it is not apparent to the eye, he immerses and eats his heave offering.

# NIDDAH

- **1:1** A Shammai says, "[For] all women [it is] sufficient for them [to reckon uncleanness from] their time [of discovering a flow]."
  - B Hillel says, "[They are deemed unclean retroactively] from the [time of examination, at which the flow of blood was discovered] to the [last] examination [she made beforehand].
  - C "And even for many days."
  - D And sages say not in accord with the opinion of this one nor in accord with the opinion of that one, but:
  - E [the woman is held to have been unclean only] during [the preceding] twenty-four hours [when] this lessens the period from the examination to the [last] examination,
  - F [and she is held to have been unclean only] during the period from examination to examination [when] this lessens the period of twenty-four hours.
  - G Every woman who has a fixed period—sufficient for her is her time.
  - H She who makes use of test rags, lo, this is equivalent to an examination,
  - I which lessens either the period of the twenty-four hours or the period from examination to examination.
- **1:2** A How [is the case in which] her time suffices for her?
  - B [If] she was sitting on the bed and engaged in things requiring cleanness and arose and saw [a drop of blood],
  - C she is unclean,
  - D but all of those [things requiring cleanness] are clean.
  - E Even though they have said, "She renders unclean [whatever she touched during the preceding] twenty-four-hour period," she takes count [of the days prescribed in the Torah] only from the time that she saw a drop of blood.
- **1:3** A R. Eliezer says, "Four women [fall into the category of those for whom the] time [of first seeing blood] suffices:
  - B "(1) the virgin, (2) the pregnant woman, (3) the nursing mother, and (4) the old lady."
  - C Said R. Joshua, "I heard only [that this rule applies to] the virgin."
  - D But the law is in accord with the opinion of R. Eliezer.
- **1:4** A Who is (1) the virgin?
  - B Any girl who never in her life saw a drop of blood, even though she is married.
  - C (2) A pregnant woman?
  - D Once it is known that the foetus is present.
  - E (3) A nursing mother?
  - F Until she will wean her son.
  - G [If] she gave her son to a wet nurse, weaned him, or he died—

- H R. Meir says, "She conveys uncleanness [to everything she touched] during the preceding twenty-four hours."
- I And sages say, "Sufficient for her is her time."
- **1:5** A (4) Who is an old woman?
  - B Any woman for whom three periods have gone by without a flow near to the time of her old age.
  - C R. Eliezer says, "Any woman for whom three periods have passed without her suffering a flow—sufficient for her is her time."
  - D R. Yose says, "A pregnant woman and a nursing mother for whom three periods have passed—sufficient for them is their time."
- **1:6** A And of what case did they speak when they said, "Sufficient for her is her time"?
  - B In the case of the first appearance of a drop of blood.
  - C But in the case of the second appearance of such a drop of blood, she conveys uncleanness to whatever she touched during the preceding twenty-four hours.
  - D But if she saw the first flow by reason of constraint [through abnormal causes], even in the case of the second drop of blood, sufficient for her is her time.
- **1:7** A Even though they have said, "Sufficient for her is her time," (1) she must nonetheless examine herself,
  - B except for (a) the menstruating woman,
  - C and (b) the woman who is sitting in the blood of her purifying [after having given birth].
  - D And (2) she makes use of test rags,
  - E except for (a) the one who is sitting in the blood of her purifying,
  - F and (b) a virgin, whose drops of blood are clean.
  - G And (3) twice must she [who has a fixed period] examine herself:
  - H (a) in the morning and (b) at twilight,
  - I and (c) when she prepares for sexual relations.
  - J Beyond these examinations, women of the priestly caste [must examine themselves] when they eat heave offering.
  - K R. Judah says, "Also: when they finish eating heave offering."
- **2:1** A Any hand which makes many examinations— in the case of women is to be praised and in the case of men is to be cut off.
  - B The deaf-mute, and the imbecile, and the blind, and the unconscious woman—
  - C if there are women of sound sense, they care for them, and they eat heave offering.
  - D It is the way of Israelite women to make use of two test rags, one for him and one for her.
  - E The pious prepare yet a third, to take care of the house.
- **2:2** A If it [a drop of blood] is found on his, they are unclean and liable for a sacrifice.
  - B If it is found on hers at the time itself, they are unclean [for seven days] and liable for a sacrifice.
  - C If it is found on hers after a while, their uncleanness remains in doubt, and they are exempt from an offering.
- **2:3** A What is meant by "after a while"?

- B Sufficient time that the woman may descend from the bed and wash her face [sexual organs].
- C And afterward [if a drop of blood appears], she imparts uncleanness [to objects she touched] during the preceding twenty-four-hour period but does not impart uncleanness [as a menstruant for seven days] to him who has had sexual relations with her.
- D R. Aqiba says, "Also: she imparts uncleanness to him who has sexual relations with her."
- E And sages agree with R. Aqiba in the case of one who sees a bloodstain, that she imparts uncleanness to him who has sexual relations with her.
- **2:4** A All women are assumed to be clean for their husbands.
  - B Those that come home from a trip—their wives are assumed to be clean for them.
  - C The House of Shammai say, "She requires two test rags for each act of sexual relations.
  - D "Or she should have intercourse in the light of a lamp."
  - E And the House of Hillel say, "It suffices for her [to make use of] two test rags for the entire night."
- **2:5** A The sages made a parable in connection with the woman:
  - B (1) the room, (2) the front hall, and (3) the room upstairs.
  - C Blood in the room is unclean.
  - D If it is found in the front hall, a matter of doubt concerning it is deemed unclean, since it is assumed to come from the fountain [uterus].
- **2:6** A Five [colors of] blood are unclean in a woman:
  - B (1) the red, and (2) the black, and (3) bright crocus color, and (4) [blood] which is like water mixed with earth, and (5) [blood which is] like water mixed with wine.
  - C The House of Shammai say, "Also: (6) blood the color of water in which fenugreek has been soaked, and (7) [blood] the color of gravy from roast meat."
  - D And the House of Hillel declare clean.
  - E [Blood which is] yellow—
  - F Aqavya b. Mahallel declares unclean.
  - G And sages declare clean.
  - H Said R. Meir, "If it does not impart uncleanness because it is a bloodstain, it imparts uncleanness because it is a liquid."
  - I R. Yose says, "Neither thus nor so."
- **2:7** A What is the red [color]?
  - B Like the blood of a wound.
    - C Black?
    - D Like ink sediment.
    - E If it is deeper than this, it is unclean, but if it is lighter than this, it is clean.
    - F And bright crocus color?
    - G Like the brightest shade in it.
    - H Like earthy water?
    - I [A color like that produced when] over dirt from the valley of Bet Kerem water is made to float.
    - J [A color] like water mixed with wine?
    - K Two parts of water, and one part of wine—
    - L [making use of] wine of Sharon.

- **3:1** A She who produces a piece [a shapeless object]— if there is blood with it, she is unclean, and if not, she is clean.
  - B R. Judah says, "One way or the other, she is unclean."
- **3:2** A She who produces [an abortion] like a rind, like a hair, like dust, like red flies—
  - B let her put them into water.
  - C If they dissolve [into blood], she is unclean [as a menstruant], and if not she is clean.
  - D She who produces [an abortion] like fish, locusts, insects, and creeping things—
  - E if there is blood with them, she is unclean.
  - F And if not, she is clean.
  - G "She who produces [an abortion] like a beast, wild animal, or bird, whether unclean or clean,
  - H "if it is male, she should sit out [the days of uncleanness and cleanness required] for a male. And if female, she should sit out [the days of uncleanness and cleanness required] for a female.
  - I "And if [the sex of the abortion] is not known,
  - J "she should sit [out the days of uncleanness and cleanness] for a male and for a female," the words of R. Meir.
  - K And sages say, "Anything which does not bear [some aspect] of the human form is not deemed a foetus."
- **3:3** A She who aborts a sac filled with water, filled with blood, filled with dry matter, does not take thought that this is a valid birth.
  - B And if it [a limb] was formed, let her sit [out the days of uncleanness and cleanness] for both male and female.
- **3:4** A She who aborts [an abortion shaped like] a sandal or a placenta
  - B let her sit [out the days of uncleanness and cleanness] for both male and female.
    - C [If] there is a placenta in a house, the house is unclean.
    - D Not that the placenta is the child, but because there is no placenta which does not contain part of the child.
    - E R. Simeon says, "The child was mashed before it [the afterbirth] came out."
- **3:5** A She who produces a *tumtom* [an infant of doubtful sex] or an androgyne [of double sex]—
  - B let her sit [out the days of uncleanness and cleanness] for both male and female.
  - C [If she bore twins—] a *tumtom* and a male child, an androgyne and a male child—
  - D let her sit [out the days of uncleanness] for both male and female.
  - E [If she bore] a *tumtom* and a female, an androgyne and a female—let her sit [out the days of uncleanness] for a female only.
  - F [If] it emerged in pieces or feet foremost—once the greater part of it has gone forth, lo, it is as if it were fully born.
  - G [If] it came forth in the normal way, [it is not deemed born] until the greater part of its head has come forth.
  - H And what is the greater part of its head?
  - I Once its forehead has come forth.
- **3:6** A She who aborts and what it is is not known [masculine or feminine] —

- B let her sit [out the days of uncleanness and cleanness] for both male and female.
- C [If] it is not known whether or not it was a human foetus,
- D let her sit [out the days of uncleanness and cleanness] for a male and for female and for menstruation.
- **3:7** A She who miscarries on the fortieth day does not take account of the possibility that it is a human foetus.
  - B [If this takes place] on the forty-first day [after intercourse], let her sit [out the days of uncleanness] for a male, for a female, and for menstruation.
  - C R. Ishmael says, "[If it takes place] on the forty-first day, let her sit [out the days of uncleanness] for the male and for menstruation.
  - D "If it takes place on the eighty-first day, let her sit [out the days of uncleanness] for male, for female, and for menstruation,
  - E "for the male is completed on the fortieth day, and the female on the eighty-first."
  - F And sages say, "All the same is the process of the formation of the male and female—both are completed on the forty-first day."
- **4:1** A Samaritan women are deemed menstruants from their cradle.
  - B And the Samaritans convey uncleanness to a couch beneath as to a cover above,
  - C because they have intercourse with menstruating women,
  - D and continue unclean for any sort of blood.
  - E But those [who have contact] with them are not liable for entering the sanctuary and do not burn heave offering on their account,
  - F because their uncleanness is a matter of doubt.
- **4:2** A When Sadducean women are accustomed to follow in the way of their fathers, lo, they are like Samaritan women.
  - B [If] they left [those ways] to walk in the ways of Israel, lo, they are like Israel.
  - C R. Yose says, "They always are like Israel, until they leave to walk in the ways of their fathers."
- **4:3** A The blood of a gentile woman,
  - B and the blood of purifying of a woman with *saraat*
    - C the House of Shammai declare clean.
    - D And the House of Hillel say, "It is like her spit and urine."
    - E The blood of a woman who has not immersed after childbirth—
    - F The House of Shammai say, "It is like her spit and her urine."
    - G And the House of Hillel say, "It imparts uncleanness wet and dry."
    - H And they agree concerning a woman who has given birth while in the status of one who has a flux, that it conveys uncleanness whether wet or dry.
- **4:4** A A woman in labor is deemed to be a menstruant.
  - B [If] a woman was in hard travail for three days during the eleven days,
  - C and [if] she enjoyed a respite for twenty-four hours and [then] gave birth—
  - D "lo, this one is one who has given birth as a *Zabah* [while in the status of one who has a flux]," the words of R. Eliezer.
  - E R. Joshua says, "A night and a day, like the eve of the Sabbath and its day."
  - F For she has had relief from the pain and not from the blood.

- **4:5** A And how long is her protracted labor?
  - B R. Meir says, "Even forty or fifty days."
  - C R. Judah says, "Sufficient for her is her [ninth] month."
  - D R. Yose and R. Simeon say, "Hard labor continues no longer than for two weeks."
- **4:6** A She who is in protracted labor during the eighty days [of cleanness] after the birth of a female—
  - B any blood which she sees is clean,
  - C until the child emerges.
  - D And R. Eliezer declares [it] unclean.
  - E They said to R. Eliezer, "Now in a situation in which the law is stringent, in the case of blood which appears during a period of respite, the law rules leniently in the matter of blood produced by hard labor,
  - F "in a situation in which the law ruled leniently [to begin with], concerning blood which is produced during a period of respite, is it not logical that we should rule leniently in connection with blood produced through hard labor?"
  - G He said to them, "It is sufficient if the inferred law is as strict as that from which it is inferred.
  - H "In what respect has the law ruled leniently for her? In respect to the uncleanness of her flux. But she is unclean in respect to the uncleanness of a menstruant."
- **4:7** A All the eleven days a woman is in the assumption of being clean.
  - B [If] she sat down and did not examine herself—
  - C accidentally,
  - D under constraint,
  - E [or if] willfully she did not examine herself,
  - F she is clean.
  - G [Once] the time of her period has come and she has not examined herself, lo, this one is deemed unclean.
  - H R. Meir says, "If she was in hiding and the time of her period came and she did not examine herself, lo, this one is deemed clean,
  - I "because fright suspends the blood."
  - J But during the [seven clean] days [that must be counted by the] man or woman that has a flux,
  - K or [the one day of cleanness to be counted] by her that awaits day against day—
  - L [during that time,] lo, these are in the assumption of being unclean.
- **5:1** A That which goes forth from the side [delivered by Caesarean section]—
  - B they do not sit out the days of uncleanness and the days of cleanness on its account.
  - C And they are not liable for an offering [of childbirth].
  - D R. Simeon says, "Lo, this is like one that is born [naturally]."
  - E All women impart uncleanness [by reason of blood] in the outer house,
  - F as it is said, "And her issue [even while still] in her flesh will be unclean [blood] (Lev. 15:19)."
  - G But the *Zab* and the one who has had an emission do not impart uncleanness until their uncleanness will [actually] come forth.
- **5:2** A [If] one was eating heave offering and felt his limbs tremble—

- B he holds on to the penis and swallows the heave offering.
- C And they are made unclean by any amount [of discharge] at all,
- D even though it is like a grain of mustard,
- E and less than that.
- **5:3** A A girl one day old [who sees a drop of blood] (1) is made unclean as a menstruant.
  - B A girl ten days old [who passed the first seven days as a menstruant and then had a flow on the next three consecutive days] (2) becomes unclean through *zibah*.
    - C A boy one day old (3) becomes unclean through *zibah*,
    - D (4) becomes unclean through plagues,
    - E (5) becomes unclean through corpse uncleanness.
    - F And he imposes the requirement of levirate marriage,
    - G frees [a sister-in-law] from the requirement of levirate marriage,
    - H makes it permissible for one to eat heave offering,
    - I makes it impermissible for one to eat heave offering,
    - J inherits,
    - K and causes to inherit.
    - L And he who kills him is liable.
    - M And lo, he is like his father and his mother and all his relatives as a full bridegroom.
- **5:4** A girl three years and one day old is betrothed by intercourse.
  - B And if a levir has had intercourse with her, he has acquired her.
    - C And they are liable on her account because of the law [prohibiting intercourse with] a married woman.
    - D And she imparts uncleanness to him who has intercourse with her [when she is menstruating] to convey uncleanness to the lower as to the upper layer.
    - E [If] she was married to a priest, she eats heave offering.
    - F [If] one of those who are unfit [for marriage] has intercourse with her, he has rendered her unfit to marry into the priesthood.
    - G [If] one of all those who are forbidden in the Torah to have intercourse with her, they are put to death on her account.
    - H But she is free of responsibility.
  - I [If] she is younger than that [age], [intercourse with her] is like putting a finger in the eye.
- **5:5** A A boy nine years and one day old who had intercourse with his childless brother's widow has acquired her.
  - B But he does not give her a writ of divorce until he comes of age.
  - C And he is made unclean by a menstruating woman, to convey uncleanness to the lower as to the upper layer.
  - D And he disqualifies but does not render [a woman] qualified to eat heave offering.
  - E And he spoils a beast for use on the altar.
  - F And it is stoned on his account.
  - G And if he had intercourse with any of all the prohibited relationships stated in the Torah, they are put to death on his account.
  - H But he is free of responsibility.
- **5:6** A A girl eleven years and one day old—her vows are examined.
  - B A girl twelve years and one day old—her vows are confirmed.

- C And they examine throughout the twelfth year.
- D A boy eleven years and one day old—his vows are examined.
- E A boy thirteen years and one day old—his vows are confirmed.
- F And they examine through the thirteenth year.
- G Before this time, even though they have said, "We know before Whom we have vowed," "for Whose [sanctity] we have sanctified"— their vows are not vows, and that which they have sanctified is deemed not sanctified.
- H After this time, even though they said, "We do not know before Whom we have vowed," "for Whose [sanctity] we have sanctified"— their vow is a vow, and that which they have sanctified is deemed sanctified.
- **5:7** A Sages have made a parable in regard to the woman: (1) an unripe fig, (2) a ripening fig, and (3) a fully ripe fig.
  - B An unripe fig—she is still a little girl.
  - C And a ripening fig—these are the days of her girlhood.
  - D In both periods her father is entitled to whatever she finds and to her wages and to annul her vows.
  - E A fully ripe fig—once she has grown up, her father has no further right over her.
- **5:8** A What are her tokens?
  - B R. Yose the Galilean says, "When the wrinkle appears beneath the breast."
  - C R. Aqiba says, "When the breasts hang down."
  - D Ben Azzai says, "When the ring around the nipple will turn dark."
  - E R. Yose says, "[When the breast is so grown] that one puts his hand on the nipple which [then] sinks and delays rising."
- 5:9 A A girl twenty years old who has not produced two pubic hairs—
  - B let her bring evidence that she is twenty years old and she is then declared sterile:
  - C she does not perform the act of *halisah* and does not enter into levirate marriage.
  - D A boy twenty years old who has not produced two pubic hairs—
  - E let him bring evidence that he is twenty years old, and he is declared a eunuch.
  - F He does not perform *halisah* and does not enter into levirate marriage.
  - G These are the words of the House of Hillel.
  - H The House of Shammai say, "Both rules apply to one who is eighteen years old."
  - R. Eliezer says, "The rule for the male is in accord with the opinion of the House of Hillel, and the rule for the female is in accord with the opinion of the House of Shammai,
     "for the women metures before the men."
  - J "for the woman matures before the man."
- **6:1** A [If] the token [of puberty] below appeared before that above, [the girl] either carries out the rite of *halisah* or enters levirate marriage.
  - B [If] the upper token appeared before the lower one, even though it is not possible [for the upper to appear before the lower]—
  - C R. Meir says, "She does not carry out the rite of *halisah* and she does not enter into levirate marriage."
  - D And sages say, "She either carries out the rite of *halisah* or enters into levirate marriage."
  - E Because they have said, "It is possible for the lower token to appear before the upper one appears, but it is not possible for the upper one to appear before the lower one appears."

- **6:2** A Similarly:
  - B Any clay utensil that will let in a liquid will let it out.
  - C But there is one which lets out a liquid and does not let it in.
  - D Every limb which has a claw on it has a bone on it, but there is that which has a bone on it and does not have a claw on it.
- **6:3** A Whatever is susceptible to *midras* uncleanness is susceptible to corpse uncleanness, but there is that which is susceptible to corpse uncleanness and is not susceptible to *midras* uncleanness.
- **6:4** A Whoever is worthy to judge capital cases is worthy to judge property cases and there is one who is worthy to judge property cases and is not worthy to judge capital cases.
  - B Whoever is suitable to judge is suitable to give testimony, but there is one who is suitable to give testimony but is not suitable to judge.
- 6:5 A Whatever is liable for tithes is susceptible to the uncleanness pertaining to foods, but there is that which is susceptible to the uncleanness pertaining to foods and is not liable for tithes.
- **6:6** A Whatever is liable for *peah* is liable for tithes, but there is that which is liable for tithes and is not liable for *peah*.
- **6:7** A Whatever is liable for the law of the first of the fleece is liable for the priestly gifts, but there is that which is liable for the priestly gifts and is not liable for the first of the fleece.
- **6:8** A Whatever is subject to the requirement of removal is subject to the law of the Seventh Year and there is that which is subject to the law of the Seventh Year and is not subject to the requirement of removal.
- 6:9 A Whatever has scales has fins, but there is that which has fins and does not have scales.B Whatever has horns has hooves, and there is that which has hooves and does not have horns.
- **6:10** A Whatever requires a blessing after it requires a blessing before it, but there is that which requires a blessing before it and does not require a blessing after it.
- **6:11** A A girl who produced two pubic hairs [after twelve years and one day] either performs the rite of *halisah* or enters into levirate marriage,
  - B and she is liable for all the commandments which are stated in the Torah.
  - C And so a boy who produced two pubic hairs is liable for all the commandments which are stated in the Torah.
  - D And he is appropriate to be subjected to the law of the rebellious son
  - E from the time that he produces two hairs until he has grown an encircling beard—
  - F (the lower and not the upper [is meant], but the sages spoke in chaste language.)
  - G A girl who produced two pubic hairs no longer is able to exercise the right of refusal.
  - H R. Judah says, "Until the dark [hair] predominates, [she may exercise the right of refusal]."

- **6:12** A The two hairs which are mentioned in connection with the [red] cow and in connection with plagues and which are stated in every regard—
  - B "[they have to be so long] that their tip can be bent to their root," the words of R. Ishmael.
  - C R. Eleazar says, "So long that one can cut it off by the fingernails."
  - D R. Aqiba says, "So long that they can be taken off with scissors."
- **6:13** A She who sees a bloodstain [on her garment]— lo, she is in disarray.
  - B "And she takes account of the possibility that she is unclean because of *zibah*, "the words of R. Meir.
  - C And sages say, "Bloodstains are not subject [to the law of uncleanness] because of zibah."
- **6:14** A She who sees [blood]
  - 1. on the eleventh day at twilight,
  - 2. at the beginning of her menstrual period,
  - 3. or at the end of her menstrual period,
  - 4. at the beginning of her period of *zibah*,
  - 5. or at the end of the period of *zibah*,
  - 6. on the fortieth day [of cleanness] for the male child,
  - 7. or on the eightieth day of cleanness of the female child,
  - -at twilight in [the case of] all of them-
  - C lo, these err.

В

- D Said R. Joshua, "Before you repair the affairs of the foolish women, repair those of the intelligent ones."
- **7:1** A The blood of the menstruating woman and the flesh of a corpse (1) impart uncleanness when they are wet,
  - B and (2) impart uncleanness when they are dry.
  - C But the [Zab's] flux, phlegm, spit, and the creeping thing, carrion, and semen (3) impart uncleanness when they are wet
  - D and (4) do not impart uncleanness when they are dry.
  - E And if they can be soaked and return to their former condition, they (5) impart uncleanness when they are wet,
  - F and they (6) impart uncleanness when they are dry.
  - G And how long is their soaking?
  - H In lukewarm water, for twenty-four hours.
  - I R. Yose says, "The flesh of the corpse [which] is dry and cannot be soaked and returned to its former bulk is clean."

7:2 A The creeping thing which is found in the alleyway imparts uncleanness retroactively,

- B until one will state "I inspected this alleyway and there was no creeping thing in it, "
- C or until the time that it [last] was cleaned.
- D And so: a stain which is found on a garment imparts uncleanness retroactively,
- E until one will state, "I inspected this garment, and there was no bloodstain on it, "
- F or until such time as it was [last] washed.
- G And it imparts uncleanness whether wet or dry.
- H R. Simeon says, "The dry imparts uncleanness retroactively, and the wet imparts uncleanness only so long as it can have been wet."

- **7:3** A All the bloodstains which come from Reqem are clean.
  - B R. Judah declares unclean, because they are converts and err.
  - C Those which come from among the gentiles are clean.
  - D Those which come among Israelites [b. Nid. 56b: are unclean] and among Samaritans—
  - E R. Meir declares unclean.
  - F And sages declare clean, because they are not suspect in regard to their bloodstains.
- **7:4** A All the bloodstains which are found anywhere are clean, except for those which are found in the rooms or around places of uncleanness.
  - B The place of uncleanness of Samaritans imparts uncleanness through over shadowing, because they bury their abortions there.
  - C R. Judah says, "They did not bury their abortions, but they toss them **out**, and the beast drags them off."
- **7:5** A They are believed to say, "We buried the abortions there," or, "We did not bury [abortions there]."
  - B They are believed to say concerning a beast whether it had born a firstling or had not born a firstling.
  - C They are believed concerning the marking out of graves.
  - D But they are not believed either about interlaced foliage or protruding stones or about the *Bet Haperas*.
  - E This is the principle: [Concerning] something about which they are suspect they are not believed.
- 8:1 A She who sees a bloodstain on her flesh—
  - B [if] it was near the pudenda, she is unclean.
  - C And [if] it was not near the pudenda, she is clean.
  - D [If it was] on her heel or on the end of her big toe, she is unclean.
  - E [If it was] on her thigh or on her feet on the inside, she is unclean.
  - F [And if it was] on the outside, she is clean.
  - G [If it was] on both sides, she is clean.
  - H [If] she saw it on her garment, [if it is] from the belt and downward, she is unclean; from the belt and upward, she is clean.
  - I [If] she saw it on the sleeve of her garment,
  - J if it reaches to opposite the pudenda, she is unclean, and if not, she is clean.
  - K [If] she had stripped it off or put it on during the night—
  - L wherever a bloodstain is located, she is unclean,
  - M since it can have been turned about.
  - N And so in the case of a pallium.
- 8:2 A And she blames it on any thing on which she can blame it:
  - B [if] she slaughtered a beast, a wild animal, or a bird,
  - C or if she was busy with [anything which causes] bloodstains,
  - D or if she sat down beside people who were engaged in them [anything that produces bloodstains].
  - E [If] she killed a louse,
  - F lo, this one blames it on it.
  - G How much may she blame on it?

- H R. Haninah b. Antigonos says, "Up to the size of the split bean."
- I 1. And [it may be attributed to a louse] even though she did not kill it.
  - 2. And she blames it on her son or her husband.
- J If there is a wound [covered by a scab] on her and it can open again and bleed she may blame it on that.
- 8:3 A M'SH B: One woman came before R. Aqiba. She said to him, "I have seen a bloodstain."
  - B He said to her, "Perhaps there was a wound on you?"
  - C She said to him, "Yes, but it has healed."
  - D He said to her, "Perhaps it can open and bleed?"
  - E She said to him, "Yes."
  - F And R. Aqiba declared her clean.
  - G His disciples did he see staring at one another. He said to them, "Why is this matter hard in your eyes? For the sages stated the rule not to produce a strict ruling but to produce a lenient ruling, as it is said, *And if a woman have an issue and her issue in her flesh be blood* (Lev. 15:19)—blood and not a stain."
- 8:4 A "A testing rag which is placed under the pillow, and blood was found on it—
  - B "if it is round it is clean."
  - C "If it is elongated, it is unclean," the words of R. Eleazar b. R. Sadoq.
- 9:1 A The woman who was doing her needs [urinating] and who saw blood [with the urine]—
  - B R. Meir says, "If she is standing, she is unclean, and if she is sitting, she is clean."
    - C R. Yose says, "One way or the other she is clean."
- **9:2** A A man and a woman who did their needs [urinated] into a pot, and blood was found on the water—
  - B R. Yose declares clean.
  - C And R. Simeon declares unclean,
  - D for it is not the way of the man to produce blood, but the assumption concerning blood [is that it derives] from the woman.
- **9:3** A [If a woman] lent her garment to a gentile [woman] or to a menstruating woman [and blood was found on the garment after it was returned and worn by the owner]—
  - B lo, this one blames it on her.
  - C Three women who wore a single garment,
  - D or who sat on a single [wooden] bench,
  - E and blood was found on it—
  - F they are all unclean.
  - G [If] they sat on a stone bench, or on the bench in a bathhouse [and blood was found on it]—
  - H R. Nehemiah declares clean.
  - I For R. Nehemiah did say, "Anything which is not susceptible to receive uncleanness does not receive [uncleanness through] bloodstains."
- 9:4 A Three women who were sleeping in one bed, and blood was found under one of them— B they all are unclean.

- C [If] one of them examined herself and was found unclean—she is unclean. And the [other] two of them are clean.
- D And they attribute it [the blood] to one another.
- E And if they were not apt to see a flow of blood, they regard them as if they were apt to see a flow of blood.
- 9:5 A Three women who were sleeping in one bed, and blood was found under the middle one—
  - B they all are unclean.
  - C [If it was found] under the one on the inside, the two on the inside are unclean. But the outer one is clean.
  - D [If it was found] under the one on the outside, the two on the outside are unclean, and the one on the inside is clean.
  - E Said R. Judah, "Under what circumstances? When they got into bed via the foot of the bed. But if the three of them passed across [the bed], they all are unclean."
  - F "[If] one of them examined herself and was found to be clean, she is clean, and the other two are unclean.
  - G "[If] two of them examined themselves and found themselves to be clean, they are clean, and the third is unclean.
  - H "[If] the three of them examined themselves and found themselves to be clean, they are all unclean.
  - I "To what is the matter comparable?
  - J "To an unclean heap [containing a bit of corpse matter] that was confused with two clean heaps, and they examined one of them and found it to be clean it is clean, and the other two are unclean. [If] the two were examined and found to be clean, they are clean, and the third is unclean. [If] three were examined and found to be clean, they are all unclean," the words of R. Meir.
  - K For R. Meir said, "Anything which is assumed to be unclean remains perpetually in its status of uncleanness until it will be known to you where the uncleanness is."
  - L And sages say, "One examines until one reaches rock or virgin soil."
- **9:6** A Seven substances do they pass over the bloodstain [to see whether it is blood or dye]:
  - B (1) tasteless spit, and (2) water from boiled grits, and (3) urine, and (4) nitre, and (5) soap, (6) Cimolian earth, and (7) lion's leaf.
  - C [If] one immersed it and prepared things requiring cleanness depending upon it,
  - D [if] one rubbed on it these seven substances and it did not disappear, (1) lo, this is dye.
  - E (2) The things requiring cleanness are deemed clean, and (3) one does not have to immerse.
  - F [If] it passed away or became faded, (1) lo, this is a bloodstain, and (2) the things requiring cleanness are deemed unclean, and (3) one has to immerse.
- **9:7** A What is tasteless spit? That of one who has eaten nothing.
  - B What is water from boiled grits? Paste made from grits of peeled beans.
  - C Urine? That which has fermented.
  - D And one must scour [the stain] with each of the seven substances three times.
  - E [If] one rubbed them on not in order, or [if] one rubbed in all seven substances at once, he has done nothing whatsoever.

- **9:8** A Any woman who has a fixed period— [it is] sufficient for her [to reckon her period of uncleanness, thus of having imparted uncleanness to objects she touched from] her [set] time.
  - B And these are [the tokens] of fixed periods:
  - C [if before discharging menstrual blood] she (1) yawns, or (2) sneezed, or (3) felt pain in the top of her stomach or the bottom of her bowels or (4) discharges or (5) a kind of shuddering takes hold of her.
  - D And so with similar phenomena.
  - E And any woman who has established [that the presence of one of these tokens signals the onset of her period] three times, lo, this is a fixed period.
- **9:9** A [If] she habitually saw blood at the beginning of [symptoms of] periods, all things requiring cleanness which she prepared while the [symptoms of] periods are in progress are unclean.
  - B [If she usually saw blood] at the end of [symptoms of] periods, all the things requiring cleanness which she prepared while [the symptoms of] the periods lasted are deemed clean.
  - C R. Yose says, "Settled periods [are also determined by] even the days and hours.
  - D "If she habitually saw blood with the sunrise, she is prohibited only at sunrise."
  - E R. Judah says, "The entire day belongs to her."
- **9:10** A [If] she habitually saw blood on the fifteenth day of the month and changed her pattern and saw blood on the twentieth day,
  - B [sexual relations on] this day and that day are prohibited.
  - C [If] she twice changed to the twentieth day, this day and that day are prohibited.
  - D [If] she three times changed to the twentieth day, the fifteenth day is now permitted,
  - E and she has established for herself a fixed period on the twentieth day.
  - F For a woman does not establish for herself a fixed period until she has established it three times.
  - G And she is not cleaned from [uncleanness imposed by] a fixed period until it will have been uprooted from her three times.
- **9:11** A Woman as regards [the blood of] virginity are like vines. (1) There is a vine whose wine is red, and (2) there is a vine whose wine is black, and (3) there is a vine whose wine is abundant, and (4) there is a vine whose wine is sparse.
  - B R. Judah says, "Every vine has its wine, and that which does not have wine, lo, this is a *durketi* vine."
- **10:1** A A girl whose time for seeing [blood] [age of menstruation] had not yet come and who was married—
  - B the House of Shammai say, "They give her four nights."
  - C And the House of Hillel say, "Until the wound will heal."
  - D [If] her time for seeing [blood] came and she was married—
  - E the House of Shammai say, "They give her the first night."
  - F And the House of Hillel say, "Until the end of the Sabbath day,
  - G "[which is to say,] four nights."
  - H [If] she saw blood [before marriage] and still was in her father's house [when married]—
  - I the House of Shammai say, "They give her [only] the coition of obligation."
  - J And the House of Hillel say, "All the night is hers."

- **10:2** A A menstruating woman who examined herself on the seventh day at dawn and found herself to be clean—
  - B at twilight she did not mark her separation—
  - C and after some days she examined herself and found herself unclean—
  - D lo, she is assumed to be clean.
  - E [If] she examined herself on the seventh day at dawn and found herself unclean, and at twilight she did not mark her separation, and after a time she examined herself and found herself clean, lo, this one is in the assumption of being unclean.
  - F And she imparts uncleanness during the preceding twenty-four hours and from one examination to the preceding examination.
  - G And if she has a fixed period, sufficient for her is her time.
  - H R. Judah says, "Anyone who did not mark her separation in a state of cleanness from afternoon and thereafter, lo, this one is in the assumption of being unclean."
  - I And sages say, "Even [if] she examined herself on the second day of her menstrual period and found herself clean, and at twilight she did not mark her separation, and after a time she examined herself and found herself unclean,
  - J "lo, this one is in the assumption of being clean."
- **10:3** A The *Zab* and the *Zabah* who examined themselves on the first day and found themselves to be clean,
  - B on the seventh day and found themselves to be clean,
  - C and on the remaining, intervening days did not examine themselves—
  - D R. Eliezer says, "Lo, they are in the assumption of being clean."
  - E R. Joshua says, "They have only the first day and the seventh day alone [as clean days]."
  - F R. Aqiba says, "They have only the seventh day alone [as a clean day]."
- **10:4** A (1) The *Zab*, and (2) the *Zabah*, and (3) the menstruating woman, and (4) the woman who has given birth, and (5) *the mesora* who died
  - B impart uncleanness through being carried,
  - C until the flesh has decayed.
  - D A gentile who dies is clean in respect to imparting uncleanness through being carried.
  - E The House of Shammai say, "All women die in the status of menstruating women."
  - F And the House of Hillel say, "A menstruating woman is only one who dies while menstruating."
- **10:5** A The woman who died and from whom a quarter-*log* of blood exuded —it [a drop of blood] imparts uncleanness by reason of the bloodstain, and it [a quarter-*log*] imparts uncleanness by means of overshadowing.
  - B R. Judah says, "It does not impart uncleanness because of the bloodstain, because it was detached after she died."
  - C And R. Judah agrees concerning the woman who was sitting on the travailing stool and died and from whom a quarter-*log* of blood exuded that it [a drop] imparts uncleanness by reason of the bloodstain.
  - D Said R. Yose, "On that account [since it was detached while the woman was still alive] it does not impart uncleanness through overshadowing."
- **10:6** A At first did they say, "She who is sitting out the blood of purifying did pour water out for washing the Passover offering."

- B They reverted to rule, "Lo, she is like one who has touched one who is unclean by reason of corpse uncleanness, so far as Holy Things are concerned, "
- C in accord with the words of the House of Hillel.
- D The House of Shammai say, "Also: she is like one who is unclean by reason of corpse uncleanness."
- **10:7** A And they agree that she eats tithe and sets apart dough offering and brings near [to the other dough the vessel in which she has put the portion set apart as dough offering] to designate it as dough offering,
  - B and if some of her spit and blood of purifying fell on a loaf of heave offering, that it is clean.
  - C The House of Shammai say, "She requires immersion at the end."
  - D And the House of Hillel say, "She does not require immersion at the end."
- **10:8** A She who sees [blood] on the eleventh day and immersed in the evening and had intercourse—
  - B the House of Shammai say, "They impart uncleanness to things upon which one may lie and sit and are liable for a sacrifice."
  - C The House of Hillel say, "They are free of the obligation to bring the sacrifice."
  - D [If] she immersed on the day after it and had intercourse and afterward saw a drop of blood—
  - E the House of Shammai say, "They impart uncleanness to objects which are used for lying and sitting and are free of the requirement to bring the sacrifice."
  - F And the House of Hillel say, "Lo, such a one is a glutton [but in no way culpable]."
  - G And they agree concerning the woman who sees a drop of blood during the [first ten of the] eleven days and immersed in the evening and had intercourse,
  - H that they impart uncleanness to objects which are used for sitting and lying and are liable for a sacrifice.
  - I If she immersed on the day afterward and had intercourse, lo, this is bad conduct,
  - J but [whether] things which they touch [are made unclean] or their sexual intercourse [is culpable] are matters which are left in suspense.

# MAKHSHIRIN

- **1:1** A Any liquid which in the beginning is acceptable, even though at the end it is not acceptable,
  - B or which at the end is acceptable, even though at the beginning it is not acceptable—
  - C lo, this is under the law, If water be put [Lev. 11:34].
  - D Unclean liquids impart uncleanness [whether they are] acceptable or not acceptable.
- **1:2** A He who shakes the tree to bring down from it fruit,
  - B or [who shakes the tree to bring down from it] that which is unclean—
  - C it is not under the law, If [water] be put.

Ι

- D [If one shakes the tree] to bring down from it liquids—
  - E The House of Shammai say, "Those [drops] which fell and [those] which [remain] on it are under the law, If water be put."

- F The House of Hillel say, "Those which fall are under the law, If water be put. And those which [remain] on it are not under the law, If water be put,
- G "because [the man] intends that they should fall from [the tree in] its entirety."
- **1:3** II A He who shakes the tree, and it fell on its fellow—
  - B or [if he shakes] a bush and it fell on another [bush],
  - C and under them are (1) seeds
    - or (2) vegetables which are attached to the ground—
  - D The House of Shammai say, "[They are] under the law, If water be put."
  - E The House of Hillel say, "They are not under the law, If water be put."
  - F Said R. Joshua in the name of Abba Yose Holi Qofri of Tivon, "Be surprised if there is a liquid in the Torah which is unclean before a person actually intends [to make use of it] and puts it on, as it is said, *And if water be put on seed* (Lev. 11: 18)."
- **1:4** III A He who shakes a bunch of herbs, and they [drops of water] fell from the topside to the bottom—
  - B The House of Shammai say, "[They are] under the law, If water be put.
  - C The House of Hillel say, "They are not under the law, If water be put."
  - D Said the House of Hillel to the House of Shammai, "And is it not so [that in the case of] one who shakes off the stalk [of a plant], do we take thought of whether they dropped from leaf to leaf?"
  - E Said to them the House of Shammai, "For the stalk is one, but the bunch [of vegetables] is [made up of] many stalks."
  - F Said to them the House of Hillel, "Lo, he who brings up [from the river] a sack full of produce and puts it on the bank of the river—do we take thought of whether they descend from the topside to the bottom?
  - G "But: If he brought up two and put them one on top of the other, the bottom one [indeed] is under the law, If water be put."
  - H And R. Yose says, "The bottom one is insusceptible to uncleanness."
- **1:5** A He who rubs [the wetness off] the leek—
  - B and he who wrings out his hair [with] his garment—
  - C R. Yose says, "Those that exude are under the law, If water be put.
  - D "And those that remain in it are not under the law, If water be put,
  - E "because he intends that they exude from [the leek in] its entirety."
- **1:6** A He who blows on lentils to test whether they are good—
  - B R. Simeon says, "They are not under the law, If water be put."
  - C And sages say, "They are under the law, If water be put."
  - D He who eats sesame with his [wet] finger—
  - E liquids which are on his hand—
  - F R. Simeon says, "They are not under the law, If water be put."
  - G And sages say, "They are under the law, If water be put."
  - H He who hides away his fruit in water because of the thieves—
  - I they are not under the law, If water be put.
  - J *M'SH B*: People in Jerusalem hid away their fig cakes in water because of the usurpers.
  - K And sages declared [them] clean for them.

- L He who puts [floats] his fruit [along] in the stream of the river to bring them along with himself-they are not under the law, If water be put.
- 2:1 The sweat [of damp walls] of houses, pits, cisterns, and caves is clean. А
  - The sweat of man is clean. В
  - С [If] one drank unclean water and sweated, his sweat is clean.
  - D [If] one entered drawn water and sweated, his sweat is unclean.
  - Е [If] he dried himself off and afterward sweated, his sweat is clean.
- 2:2 [If the water of] a bathhouse is unclean, its sweat is unclean. А
  - And [if the water of a bathhouse] is clean, it[s sweat] is subject to the law, If water be put. В
  - С The pool which is in the house—
  - D the [wall of the] house sweats on its account—
  - if it [the pool] was unclean, the sweat of [the walls of] the entire house which is [produced] Ε on account of the pool is unclean.
- 2:3 I А Two pools
  - one clean, and one unclean-В
  - С that [wall which sweats] nearer to the unclean one is unclean, and that [which sweats] near the clean one is clean.
  - D Half and half-it is unclean.
  - Π E Unclean iron which one smelted with clean iron-
    - F if the greater part is from the unclean, [the metal] is unclean,
    - G and if the greater part is from the clean, it is clean.
    - Η Half and half-it is unclean.
  - Pots into which Israelites and gentiles urinate-Ш Ι
    - J if the greater part is from the unclean [gentile source], it [the urine in the pot] is unclean.
    - Κ and if the greater part is from the clean [Israelite source], [the urine in the pot] is clean.
    - L Half and half—it is unclean.
  - IV Dirty water on which rainwater fell-Μ
    - if the greater part [of the consequent mixture of water] is from the unclean [water], Ν it is unclean.
      - 0 And if the greater part is from the clean, it is clean.
      - Р Half and half—it is clean.
      - 0 When [does the foregoing rule apply]? When the dirty water came first.
      - But if the rainwater, R
      - S in whatever volume.
      - Т preceded the dirty water, [the consequent mixture] is unclean.
- 2:4 He who plasters his roof [with dirty water and clay] V А
  - and he who launders his garment-В
  - С and rains fell on them-
  - if the greater part is from the unclean [water], it is unclean. D
  - And if the greater part is from the clean [rain], it is clean. E
  - F Half and half—it is unclean.
  - G R. Judah says, "If [the rains] continued dripping."

2:5	VI	А	A city in which	Israelites and gentiles dwell,
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- B and in which was a bathhouse heated on the Sabbath,
- C if the majority is gentiles, one washes in it forthwith [at the end of the Sabbath].
- D And if the majority was Israelite, one must wait a sufficient time for the water to be heated.
- E Half and half—one must wait a sufficient time for the water to be heated.
- F R. Judah says, "In the case of a small bath, if there is in it [a gentile of high] estate, one washes in it forthwith."

# **2:6** VII A [If] one found in it [a town in which Israelites and gentiles dwell together] a vegetable [plucked on the Sabbath] which is sold [at the close of the Sabbath]—

- B if the majority is gentile, one purchases forthwith.
- C And if the majority is Israelite, one must wait [at the end of the Sabbath] sufficient time for [others] to come from a nearby place.
- D Half and half-one must wait [at the end of the Sabbath] sufficient time for [others to] come from a nearby place.
- E And if there is in it [the town] [a gentile of high] estate, one purchases forthwith.

## **2:7** VIII A [If] one found in it an abandoned child,

- B if the majority is gentile, it is deemed a gentile.
- C And if the majority is Israelite, it is deemed an Israelite.
- D Half and half—it is deemed an Israelite.
- E R. Judah says, "They follow the status of the majority of those who abandon babies."

## **2:8** IX A [If] one found in it something which was lost,

- B if the majority is gentile, one does not have to proclaim [that fact].
- C And if the majority was Israelite, one has to proclaim [that fact].
- D Half and half-one has to proclaim [that fact].
- X E [If] one found a piece of bread in it [the city in which were both Israelites and gentiles],
  - F they follow the status of the majority of the bakers.
  - G And if it was a piece of bread made out of pure flour, [with reference to tithing] they follow the status of the majority of those who eat bread made out of pure flour.
  - H R. Judah says, "If it was a piece of bread made out of coarse meal, they follow the status of the majority of those who eat bread made out of coarse meal."

## **2:9** XI A [If] one found in it meat,

- B they follow the status of the majority of the butchers.
- C If it was cooked, they follow the status of the majority of those who eat cooked meat.

## **2:10** XII A He who finds produce by the wayside—

- B if most people store up their produce in their house, it is clear [of the obligation to tithe],
- C and [if it is the practice of most people] to sell their produce in the market, it is liable [for tithes].
- D Half and half—it is deemed *demai*.

#### XIII E A storage bin into which Israelites and gentiles put their produce—

- F "if the majority is gentiles, [produce found in the bin] is certainly [untithed].
- G "And if the majority is Israelite, it is *demai*.
- H "Half and half—it is certainly [untithed]," the words of R. Meir.
- I And sages say, "Even if all of them are gentiles, but a single Israelite puts [his produce] into it [the storage bin], [the whole is deemed] *demai*."

#### 2:11 XIV A Produce of the Second Year which exceeded in quantity produce of the Third Year, B and produce of the Third Year which exceeded in quantity produce of the Fourth Year.

- C and produce of the Fourth Year which exceeded in quantity produce of the Fifth Year,
- D and produce of the Fifth Year which exceeded in quantity produce of the Sixth Year,
- E and produce of the Sixth Year which exceeded in quantity produce of the Seventh Year,
- F and produce of the Seventh Year which exceeded in quantity produce of the year after the Seventh Year—
- G they follow the status of the majority.
- H Half and half—[they decide] to impose the more strict status.

## **3:1** A A sack which is full of pieces of fruit and which one placed on the side of the river,

- B or over the mouth of the cistern,
- C or over the steps of the cave,
- D and they [the pieces of fruit] absorbed [water]—
- E all [the fruit which] absorbed [water] is under the law, If water be put.
- F R. Judah says, "Whatever is over against the water is under the law, If water be put.
- G "And whatever is not over against the water is not under the law, If water be put."
- **3:2** A A jar which is full of pieces of fruit and placed into liquids,
  - B or one which is full of liquids and placed among pieces of fruit,
    - C and they absorbed [water]—
    - D whatever they absorbed is under the law, If water be put.
    - E About what sort of liquids did they rule?
    - F [They ruled] about water, wine, and vinegar.
    - G But [in the case of] all other liquids, [the pieces of fruit] are clean.
    - H R. Nehemiah declares clean in the case of pulse [moistened by water, wine, or vinegar], since pulse does not absorb [moisture].
- **3:3** A He who took hot bread [from the side of the oven] and put it over a jar of wine—
  - B R. Meir declares it susceptible to uncleanness.
  - C And R. Judah declares it insusceptible to cleanness.
  - D R. Yose declares clean in the case of bread made of wheat, and declares unclean in the case of bread made of barley,
  - E because barley absorbs [liquid].
- **3:4** A He who sprinkles his house and put wheat into it,
  - B and they [the grains of wheat] became damp—

- C if it is on account of the water, it is subject to the law, If water be put.
- D And if it is on account of the rock floor, it is not under the law, If water be put.
- E He who washes his clothing in a trough and put into it grains of wheat, and they grew moist,
- F if it [the moisture] is on account of the water, it is subject to the law, If water be put.
- G And if it [the moisture] is on account of itself, it is not under the law, If water be put.
- H He who dampens [wheat] with sand, lo, this is under the rule, If water be put.
- I *M'SH B*: The people of Mahoz were dampening [wheat] in sand.
- J Sages said to them, "If thus you have been doing, you have never prepared [food] in accord with the rules of cleanness in your entire lives."
- **3:5** A He who dampens [wheat] with dry clay—
  - B R. Simeon says, "If there is dripping moisture in it, it is under the law, If water be put.
  - C "And if not, it is not under the law, If water be put."
  - D He who sprinkles his threshing floor does not scruple lest he put in it grains of wheat and they grow damp.
  - E He who gathers blades of grass when the dew is on them to dampen wheat in them—it [the moisture] is not under the law, If water be put.
  - F If, however, he intended thus, lo, this is under the law, If water be put.
  - G He who brings his grain to the mill and rain fell on them—
  - H if he was happy on that account, it is under the law, If water be put.
  - I R. Judah says, "It is not possible not to be happy on that account. But if he stood."
- **3:6** A [If] his olives were located on the roof and rain fell on them—
  - B if he was happy, it is under the law, If water be put.
  - C R. Judah says, "It is not possible not to be happy on that account.
  - D "But if he stopped up the waterspout,
  - E "of if he shook the olives in it [the rain]."
- **3:7** A The ass drivers who were crossing the river and their sacks fell into the water—
  - B if they were happy, it is subject to the law, If water be put.
  - C R. Judah says, "It is not possible not to be happy. But if they turned over [the sacks it is under the law, If water be put]—, ,
  - D [If] one's feet were full of mud—
  - E and so the hooves of his beast—
  - F he crossed the river—
  - G if he was happy, it is subject to the law, If water be put.
  - H R. Judah says, "It is not possible not to be happy.
    - 1."But if he stood [the animal] still and rinsed off [its feet]
  - 2. "in the case of man

I

- J "and in the case of an unclean beast, it is always unclean."
- **3:8** A He who brings down the wagon wheels and the cattle yokes to the water at the time of the east wind so that they may swell out—
  - B lo, this is under the law, If water be put.
  - C He who brings down the cow to drink—
  - D the water which comes up in her mouth is under the law, If water be put.
  - E And that which comes up with her hooves is not subject to the law, If water be put.

- F If he gave thought that her hooves should be rinsed off, then even the water which comes up with her hooves is under the law, If water be put.
- G In the time of hoof disease or threshing, [the water dripping from the hooves] invariably is unclean.
- H [If] a deaf-mute, an imbecile, or a minor brought down [the beast], even though he gave thought that her feet should be rinsed off, it is not subject to the law, If water be put,
- I for they have the power of deed and do not have the power of intention.
- 4:1 A He who kneels down to drink—
  - B the water which comes up on his mouth and on his moustache is under the law, If water be put.
  - C [The water which comes up] on his nose and on [the hair of] his head and on his beard is not under the law, If water be put.
  - D He who draws [water] with a jug—
  - E the water which comes up on its outer parts and on the rope wound round its neck and on the rope which is needed [in dipping it]—lo, this is under the law, If water be put.
  - F And how much is needed [in dipping it]?
  - G R. Simeon b. Eleazar says, "A handbreadth."
  - H [If] one put it under the waterspout, [the water on its outer parts, etc.] is not under the law, If water be put.
- **4:2** A He on whom rains fell,
  - B even [if he is] a Father of uncleanness—
  - C it [the water] is not under the law, If water be put.
  - D And if he shook off [the rain], it [the water which is shaken off] is under the law, If water be put.
  - E [If] he stood under the waterspout to cool off,
  - F or to rinse off,
  - G in the case of an unclean person, [the water] is unclean,
  - H and in the case of a clean person, [the water] is under the law, If water be put.
- **4:3** A He who puts a dish on end against the wall so that it will rinse off, lo, this is under the law, If water be put.
  - B If [he did so] so that it [rain] should not harm the wall, it [the water] is not under the law, If water be put.
- **4:4** I A jug into which water leaking from the roof came down—
  - B The House of Shammai say, "It is broken."
  - C The House of Hillel say, "It is emptied out."
  - D And they agree that he puts in his hand and takes pieces of fruit from its inside, and they are insusceptible to uncleanness.
- **4:5** II A A trough into which the rain dripping from the roof flowed—
  - B the drops [of water] that splashed out and those that overflowed are not under the law, If water be put.
  - C [If] one took it to pour it out—
  - D The House of Shammai say, "It is under the law, If water be put."
  - E The House of Hillel say, "It is not under the law, If water be put."

- III F [If] one left it out so that the rain dripping from the roof would flow into it—
  - G the drops that splashed out and those that overflowed—
  - H The House of Shammai say, "They are under the law, If water be put."
  - I The House of Hillel say, "They [the drops which splashed or overflowed] are not under the law, If water be put."
  - J [If] one took it in order to pour it out, these and those agree that [both kinds of water] are under the law, If water be put.
  - K He who dunks the utensils and he who washes his clothing in a cave—
  - L the water which comes up on his hands is under the law, If water be put.
  - M [And the water which comes up] on his feet is not under the law, If water be put.
  - N R. Eleazar says, "If it is impossible for him to go down [into the water] unless his feet become muddy, even [the drops of water] which come up on his feet are under the law, If water be put."
- **4:6** A A basket which is full of lupines and [which] happens to be placed into an immersion pool—
  - B one puts out his hand and takes lupines from its midst, and they are insusceptible to uncleanness.
  - C [If] one took them out of the water—
  - D the ones which touch the basket are susceptible to uncleanness.
  - E And all the rest of the lupines are insusceptible to uncleanness.
  - F A radish which is in the cave [water]—
  - G a menstruant rinses it off, and it is insusceptible to uncleanness.
  - H [If] she brought it out of the water in any measure at all, it is unclean.
- **4:7** A Pieces of fruit which fell into a water channel—
  - B he whose hands were unclean reached out and took them—
  - C his hands are clean, and the pieces of fruit are insusceptible to uncleanness.
  - D And if he gave thought that his hands should be rinsed off, his hands are clean, and the pieces of fruit are under the law, If water be put.
- **4:8** A A dish which is full of water and placed in an immersion pool,
  - B and into which a Father of uncleanness put his hand
  - C is unclean [but the water remains clean].
  - D [If] he was unclean [only by reason of] contact with unclean things, it is clean.
  - E And as to all other liquids—they are unclean.
  - F For the water does not impart cleanness to other liquids.
- **4:9** A He who draws water with a swape pipe—
  - B up to three days it [the water] imparts susceptibility to uncleanness.
  - C R. Aqiba says, "If it was dried off, it is forthwith incapable of imparting susceptibility to uncleanness, and if it was not dried off, even after thirty days it continues to impart susceptibility to uncleanness."
- 4:10 A Pieces of wood on which liquids fell and on which rains fell—
  - B if [the rains] were more [than the liquids], [the pieces of wood] are in— susceptible to uncleanness.

- C [If] he took them outside so that the rains might fall on them, even though they [the rains] were more [than the liquids], they [the pieces of wood] are susceptible to uncleanness.
- D [If] they absorbed unclean liquids, even though he took them outside so that the rains would fall on them, they are clean.
- E But he should kindle them only with clean hands alone.
- F R. Simeon says, "If they were wet [freshly cut] and he kindled them, and the liquids [sap] which exuded from them were more than the liquids which they had absorbed, they are clean."
- 5:1 A He who immersed in a river, and there was before him another river
  - B [the water of] the second [river] renders insusceptible [the water of] the first.
  - C [If] his fellow in drunkenness pushed him in [to the second river],
  - D and so his beast,
  - E [the water of] the second [river] renders insusceptible [the water of the first.
  - F And if [he did so] as he was wrestling with him, lo, this is under the law, If water be put.
- 5:2 A He who swam in the water—
  - B the water which splashed
  - C is not under the law, If water be put.
  - D And if [the splashing was because] he intended to splash his fellow,
  - E lo, it is under the law, If water be put.
  - F He who makes a 'bird' in the water—
  - G the water which splashes out and that which is in it are not under the law, If water be put.
- **5:3** A Pieces of fruit into which rain dripping from the roof fell and which one mixed together for drying—
  - B R. Simeon says, "It is under the law, If water be put."
  - C And sages say, "It is not under the law, If water be put."
- **5:4** A He who measures the cistern—
  - B "whether for depth or for breadth—
  - C "lo, this [water which is on the measuring rod] is under the law, If water be put," the words of R. Tarfon.
  - D R. Aqiba says, "[If he measured it] for depth, [the water on the measuring rod] is under the law, If water be put. And [if he measured it] for breadth, [the water on the measuring rod] is not under the law, If water be put."
- 5:5 A [If] one stuck his hand or his foot or a reed into the cistern to know if there is water in it—
  - B [water which comes up on the hand, foot, or reed] is not under the law, If water be put.
    - C [If he did so] in order to find out how much water is in it, lo, this is under the law, If water be put.
    - D [If] one threw a stone into the cistern to find out whether there is water in it—
    - E the water which splashed out is not under the law, If water be put.
    - F And that which is on the stone is insusceptible to uncleanness.
- 5:6 A He who beat upon [a wet] pelt—
  - B [if he beat on it] outside the water—

- C [what is splashed from it] is subject to the law, If water be put.
- D [If he beat] in the water [itself], [the water which is beaten out] is not under the law, If water be put.
- E R. Yose says, "Even [if he beat] in the water, [what is splashed out] is under the law, If water be put,
- F "because he intends that it flows out together with the excrement."
- **5:7** A The water which comes up on (1) [the hull of] the ship, (2) on the bilge and (3) on the oars is not under the law, If water be put.
  - B [The water which comes up] (1) on the snares, (2) on the gins, and (3) on the nets is not under the law, If water be put.
  - C And if he shook [them to remove the water], it [the water which is detached] is under the law, If water be put.
  - D (1) He who takes out a ship onto the Great Sea in order to tighten [the seams]—
  - E (2) he who takes out a [hot] nail into the rain to temper it—
  - F (3) he who leaves the burning brand in the rain in order to extinguish it—
  - G lo, this is under the law, If water be put.
- **5:8** A A covering for tables,
  - B and matting for bricks—
  - C [rain which falls on these] is not under the law, If water be put.
  - D And if he shook [these objects off], [the water which is detached] is under the law, If water be put.
- **5:9** A Any unbroken stream [of water] is clean,
  - B except for the thick honey and porridge.
  - C The House of Shammai say, "Also: one of porridge made from grits or beans,
  - D "because it shrinks backwards."
- **5:10** A He who empties (from) hot [clean water] into hot [unclean water],
  - B and (from) [clean] cold into [unclean] cold,
  - C and (from) hot into cold—
  - D it [the remaining upper, clean liquid] is clean.
  - E [He who empties] (from) cold into hot [water]—
  - F it is unclean.
  - G R. Simeon says, "Also: He who empties (from) hot into hot,
  - H "and the force of the lower was stronger than that of the upper—
  - I "it is unclean."
- **5:11** A The woman whose hands were clean,
  - B and who stirred the unclean cooking pot—
  - C if her hands sweated,
  - D they are unclean.
  - E [If] her hands were unclean,
  - F and she was stirring the clean cooking pot,
  - G if her hands sweated,
  - H [what is in] the pot is unclean.
  - I R. Yose says, "If they dripped."

- J He who weighs grapes in a cup of a balance—
- K the wine which is in the cup is insusceptible to uncleanness,
- L until one will pour it out into [another] utensil.
- M Lo, this is like baskets of olives and grapes when they drip.
- 6:1 A He who brings up his produce to the roof because of the maggots,
  - B and dew fell on it—
  - C it is not under the law, If water be put.
  - D If he intended such, lo, this is under the law, If water be put.
  - E [If] a deaf-mute, an imbecile, or a minor brought it up, even though he gave thought that dew should fall on it—
  - F it is not under the law, If water be put,
  - G because they have the power of deed but not the power of intention.
- 6:2 A He who brings up bundles [of vegetables] and blocks [of figs] and garlic to the roof
  - B so as to keep them fresh—
  - C they are not under the law, If water be put.
  - D All bundles [of vegetables] in the marketplaces are susceptible to uncleanness.
  - E R. Judah declares insusceptible to uncleanness in the case of those that are fresh.
  - F Said R. Meir, "And on what account have they been declared unclean? But because of the liquid of the mouth."
  - G All kinds of meal and flour in the marketplaces are susceptible to uncleanness.
  - H Pounded wheat and groats and grits are susceptible to uncleanness in all circumstances.
- **6:3** A All eggs are assumed to be insusceptible to uncleanness,
  - B except for those of dealers in liquids.
  - C And if they were selling along with them dry produce, they are insusceptible to uncleanness.
  - D All kinds of fish are assumed to be susceptible to uncleanness.
  - E R. Judah says, "A piece of the Iltith fish, Egyptian fish which comes in a basket, and Spanish mackerel, lo, these are in the assumption of being clean."
  - F All kinds of brine are assumed to be susceptible to uncleanness.
  - G And in the case of all of them, an *Am haares* is believed to testify, "They are insusceptible to uncleanness, "
  - H except for that of [small] fish,
  - I because they are stored with an *Am haares*.
  - J R, Eliezer b, Jacob says, "Insusceptible brine into which fell any amount at all of water is deemed susceptible to uncleanness,"
- **6:4** A There are seven liquids [to which the law, If water be put, applies]:
  - B (1) dew, (2) water, (3) wine, (4) oil, (5) blood, (6) milk, and (7) bee honey,
  - C The honey of hornets is insusceptible to uncleanness but is permitted for eating,
- **6:5** A [These are the kinds of liquids which are] subspecies of water:
  - B [liquids which] exude from (1) the eye, (2) the ear, (3) the nose, (4) from the mouth, (5) urine,
    - whether of adults or children,

whether [excreted] knowingly or unknowingly,

- C [These are liquids which are] subspecies of blood:
- D (1) blood from the slaughtering of cattle and beast and fowl that are clean, and (2) blood let out from the veins for drink,
- E Whey is like milk,
- F And sap is like oil,
- G "for the sap is not wholly freed from particles of oil," the words of R, Simeon,
- H R, Meir says, "Even though there is no oil with it [it is like oil], "
- I The blood of the creeping thing is like its flesh, It imparts uncleanness but does not impart susceptibility to uncleanness,
- J And we have nothing that is like it,
- **6:6** A These impart uncleanness and impart susceptibility to uncleanness:
  - B (1) the flux of the Zab, (2) his spit, (3) his semen, and (4) his urine;
  - C (5) and the quarter-*log* [of blood] from the corpse;
  - D (6) and the blood of the menstruating woman,
  - E R, Eliezer says, "Semen does not impart susceptibility to uncleanness, "
  - F R, Eleazar b, Azariah says, "The blood of the menstruating woman does not impart susceptibility to uncleanness, "
  - G R, Simeon says, "The blood of the corpse does not impart susceptibility to uncleanness,
  - H "And if it fell on the gourd, one scrapes it off, and it is deemed insusceptible to uncleanness, "
- **6:7** A These do not become unclean and do not impart susceptibility to uncleanness:
  - B (1) sweat, (2) stinking pus, (3) excrement, (4) blood which exudes with them, and (5) liquid [which is excreted with a stillborn child] at the eighth month,
    - C R, Yose says, "Except for its blood, "
    - D (6) And [the discharge from the bowels of] him who drinks Tiberian waters, even though it comes out clean;
    - E (7) blood from the slaughtering of cattle and beast and fowl which are unclean;
    - F and (8) blood from bloodletting for healing,
    - G R, Eliezer declares unclean in the case of these,
    - H R, Simeon b, Eleazar says, "The milk of the male is insusceptible to uncleanness, "
- **6:8** A The milk of the woman imparts susceptibility to uncleanness whether it is subject to approval or not subject to approval,
  - B But the milk of the beast imparts susceptibility to uncleanness only [when it is detached] with approval,
  - C Said R, Aqiba, "The matter produces an argument from the less to the greater,
  - D "Now, if the woman's milk, which is intended for infants alone, imparts uncleanness whether [detached] with approval or not with approval, the milk of cattle, which is intended for both infants and adults— is it not logical that it imparts susceptibility to uncleanness whether [detached] with approval or not with approval?"
  - E They said to him, "No, If milk of the woman imparts uncleanness when [it is detached] without approval, [the reason is] that the blood of her wound is unclean.
    "But will the milk of cattle when [it is detached] without approval impart uncleanness, since the blood of its wound is clean?"
  - F He said to them, "I rule more stringently in the case of milk than of blood,
  - G "for he who milks [a cow] for healing—it is susceptible to uncleanness,
  - H "But he who draws blood for healing—it is deemed insusceptible to uncleanness, "

- I They said to him, "Baskets of olives and grapes will prove the case,
- J "For liquids which exude from them with approval are susceptible to uncleanness, [and those which exude] not with approval are insusceptible to uncleanness, "
- K He said to them, "No, If you have so stated in the case of baskets of olives and grapes, which in the beginning are solid food and at the end become liquid, will you say so in the case of milk, which both in the beginning and at the end is liquid?"
- L To this point is [the] reply,
- M Said R, Simeon, "From this point we should reply before him:
- N "Rain will prove the matter, for in the beginning and at the end it is liquid, and it imparts susceptibility to uncleanness only when it falls with approval, "
- O He said to us, "No, If you have said so in the case of rain, in which instance most of it is only for lands and trees and not for man,
- P "will you say so in the case of milk, in which instance most of it is for the use of man?"

# ZABIM

- **1:1** A He who sees one appearance of flux—
  - B The House of Shammai say, "He is like a woman who awaits day against day, "
  - C And the House of Hillel say, "He is like one who has had a seminal emission."
  - D [If] he saw one [appearance of flux], and on the second day it ceased, and on the third day he saw two,
  - E or one as profuse as two—
  - F The House of Shammai say, "He is entirely a Zab."
  - G And the House of Hillel say, "He imparts uncleanness to bed and chair,
  - H "and is required to immerse in running water,
  - I "but is free of the obligation to bring an offering."
  - J Said R. Eleazar b. Judah, "The House of Shammai agree in this case that he is not entirely a *Zab*.
  - K "Concerning what case did they differ?
  - L "Concerning: He who sees two [appearances of flux],
  - M "or one as profuse as two—
  - N "and on the second day it ceased,
  - O "and on the third he saw one [appearance of flux]—
  - P "The House of Shammai say, 'He is entirely a Zab.'
  - Q "And the House of Hillel say, 'He imparts uncleanness to bed and chair,
  - R "and is required to immerse in running water,
  - S "but is free of the obligation to bring an offering."
- **1:2** A He who sees semen on the third day of the counting of his flux
  - B The House of Shammai say, "He loses the two days before it."
  - C And the House of Hillel say, "He has lost only that day."
  - D R. Ishmael says, "He who sees [semen] on the second day loses the day which is before it."
  - E R. Aqiba says, "All the same is the one who sees [semen] on the second day and the one who sees [semen] on the third—
  - F "For: the House of Shammai say, 'He has lost the two days (which are before it).'
  - G "And the House of Hillel say, 'He has lost only that day.'

- H "And they agree concerning the one who sees [semen] on the fourth day that he has lost only that day."
- I [This is the case] in which he sees semen.
- J But if he saw flux,
- K even on the seventh day,
- L he has lost [all the days] which are before it.
- **1:3** A [If] he saw one on one day and two on the next day,
  - B two on one day and one on the following day,
  - C three on three [successive] days,
  - D or three nights—
  - E lo, this one is entirely a *Zab*.
- **1:4** A [If] he saw one, and it ceased for sufficient time for him to immerse and dry himself,
  - B and afterward he saw two,
  - C or one profuse as two,
  - D or [if] he saw two, or one profuse as two, and it ceased for sufficient time for him to immerse and dry himself,
  - E and afterward he saw one,
  - F lo, this one is entirely a *Zab*.
- **1:5** A [If] he saw one [flux] as profuse as three,
  - B which is sufficient for one to go from Gad Yon to Shiloah,
  - C which is time enough for two immersions and two dryings—
  - D lo, this one is entirely a *Zab*.
  - E [If] he saw one which is profuse as two, he imparts uncleanness to bed and chair,
  - F and requires immersion in running water,
  - G and is free of the obligation to bring a sacrifice.
  - H Said R. Yose, "They did not speak of one [issue which was] profuse unless it sufficed to make up three [emissions]."
- **1:6** A [If] he saw one by day and one at twilight,
  - B one at twilight and one on the following day—
    - C if it is known that part of the appearance was on one day and part of it on the next,
    - D he is certain as to the sacrifice and as to uncleanness.
    - E If it is a matter of doubt whether part of the appearance [of flux] appeared on one day and part on the next,
    - F he is certain as to uncleanness but in doubt as to the requirement to bring sacrifice.
    - G [If] he saw [flux] on two days at twilight [on each day], he is in doubt as to imparting uncleanness and in doubt as to bring a sacrifice.
    - H [If he saw] one [appearance of flux] at twilight, he is in doubt [even as to] uncleanness.
- **2:1** A All are susceptible to uncleanness through flux,
  - B even converts,
  - C even slaves,
    - (1) .whether freed or not freed,
  - D a deaf-mute, imbecile, or minor,
  - E a eunuch by castration and a eunuch by nature.

- F As to a *tumtom* and androgyne—they place upon them the stringencies that apply to man and the stringencies that apply to woman:
  - (1) they are susceptible to uncleanness through blood, like a woman,
  - (2) and through white [flow], like a man.
  - (3) And their status as to uncleanness remains in doubt.
- **2:2** A In seven ways do they examine the *Zab* before he is confirmed as to flux:
  - B (1) as to what he had eaten, (2) as to what he had drunk, (3) and as to what he had carried;
  - C (4) as to whether he had jumped, (5) as to whether he was ill;
  - D (6) as to what he had seen, and (7) as to what he had fantasized—
  - E [if] he fantasized before he [actually] saw, or saw before fantasizing.
  - F R. Judah says, "Even if he saw cattle, beast, and fowl engaged with one another [in sexual relations],
    - "even if he saw a woman's colored garments."
  - G R. Aqiba says, "Even if he had eaten any sort of food, whether bad or good, or drunk any sort of liquid."
  - H They said to him, "Henceforth, there will be no Zabim."
  - I He said to them, "Responsibility for *Zabim* is not yours!"
  - J Once one is confirmed as to flux, they do not examine him [further].
  - K [Any flux which happens] inadvertently, and any that is subject to doubt, and his semen [all] are unclean,
  - L for there is now a basis for the matter [of deeming them unclean].
  - M [If] he saw the first [flow of flux], they do examine him.
  - N [In the case of] the second, they do examine him.
  - O In [the case of the] third, they do not examine him.
  - P R. Eliezer says, "Even in [the case of the] third they do examine him,
  - Q "On account of the [question of whether or not he has to bring] the sacrifice."
- **2:3** A He who sees semen does not become susceptible to uncleanness by flux for twenty-four hours.
  - B R. Yose says, "For that day alone."
  - C A gentile who saw semen and converted [thereafter]—forthwith is he susceptible to uncleanness by reason of flux.
  - D She who sees blood and the one who is in hard labor—[the time during which she is not susceptible to uncleanness by reason of flux is] twenty-four hours.
  - E He who smites his slave—the *day* or *two* [Ex. 21:21] is twenty-four hours.
  - F A dog who ate the flesh of a corpse—for three days of twenty-four hours, lo, it [continues] in its natural state.
- **2:4** A The Zab imparts uncleanness to the bed in five ways so that it imparts uncleanness to man and imparts uncleanness to garments:
  - B (1) standing, (2) sitting, (3) lying, (4) suspended, and (5) leaning.
  - C And the bed imparts uncleanness to man in seven ways so that he imparts uncleanness to clothing:
  - D (1) standing, (2) sitting, (3) lying, (4) suspended, (5) leaning, (6) through contact, and (7) through carrying.
- **3:1** A The *Zab* and the clean person who sat in a ship or on a raft,

- B or who rode [together] on a beast,
- C even though their clothes do not touch—
- D lo, these are unclean with *midras* uncleanness.
- E [If] they sat on a plank, or on a bench, or on a bed frame, and on the beam,
- F when they are infirm—
- G [if] they climbed up on a tree which was shaky,
- H on a branch which was shaky on a firm tree—
- I [if they climbed up] on an Egyptian ladder when it is not fastened with a nail,
- J on the bridge,
- K and on the beam,
- L and on the door,
- M when they are not fastened with clay—
- N they are unclean.
- O R. Judah declares clean.
- **3:2** A [If] they [both] close or open [door]—
  - B And sages say, "[There is no transfer of uncleanness] unless this one closes and this one opens."
  - C [If] the one lifts the other out of the pit—
  - D R. Judah says, "[There is no transfer of uncleanness] unless the clean one raises the unclean."
  - E [If] they twist ropes together—
  - F And sages say, "[There is no transfer of uncleanness] unless this one is pulling one way, and that one is pulling the other way."
  - G [If] they weave [together], whether standing or sitting,
  - H or grind wheat together—
  - I R. Simeon declares clean in the case of all of them, except for [when] they grind with a hand mill.
  - J [If] they unload the ass or load it up,
  - K when their burden is heavy, they are unclean.
  - L When their burden is light, they are clean.
  - M And all of them are clean for members of the congregation and unclean [for those who eat] heave offering.
- **3:3** A The *Zab* and the clean person who sat in a large ship—
  - (B What is a large ship?
  - C R. Judah says, "Any which cannot be rocked by man"—)
  - D [if] they sat on the plank, on the bench, on the bed frame, and on the beam,
  - E when they are not infirm—
  - F [if] they climbed up into a tree which is firm, onto a branch which is firm,
  - G and onto a Tyrian or Egyptian ladder when it is affixed firmly with a nail,
  - H on the bridge, on the beam, and on the door,
  - I when they are fastened with clay,
  - J even on one side—
  - K they are clean.
  - L [If] the clean person hits the unclean person—
  - M he is clean.
  - N [If] the unclean person hits the clean person,
  - O he is unclean,

- P for if the clean person should draw back, lo, the unclean person would fall down.
- 4:1 A R. Joshua says, "A menstruating woman who sat with the clean woman on the bed—
  - B "the cap which is on her [the clean woman's] head is unclean with *midras* uncleanness.
  - C "[If] she sat on a boat, vessels on the top of the mast of the boat are unclean with *midras* uncleanness.
  - D "[If] she takes a trough full of clothes, when their burden is heavy, they are unclean. When their burden is light, they are clean."
  - E A *Zab* who knocked against the balcony and a loaf of heave offering [bread] fell down—it is clean.
- **4:2** A [If a *Zab*] knocked against the king beam, against the rafter frame, against the waterspout, and against the fixed shelf, even though it is made with ropes, against the oven, and against the flour mill's container or lower millstone or the jack of a hand mill or an olive grinder's seah—measure—
  - B R. Yose says, "Also: against the bath keeper's beam"—
  - C [if a loaf of bread made of heave offering fell from any of these], it is clean.
- **4:3** A [If] he knocked against the door, against the doorpin, against the lock, against the rudder, and against the mill frame—
  - B and against a tree which is infirm, and against a branch which is infirm but on a solid tree
  - C against an Egyptian ladder when it is not fastened with a nail—
  - D against the bridge, against the beam, and against the door when they are not held firm with clay—
  - E they are unclean.
  - F Against the chest, box, or cupboard—they are unclean.
  - G R. Nehemiah and R. Simeon declare clean in the case of these.
- 4:4 A A Zab who was lying on five benches, or on five bags—
  - B lengthwise, they are unclean,
  - C breadthwise, they are clean.
  - D [If] he slept—
  - E [if] there is a doubt whether he rolled over on them, they are unclean.
  - F [If] he was lying on six seats, with his two hands on two, his two feet on two, his head on one, and his body on one—
  - G unclean is only this one which is under the body.
  - H [If] he is standing on two chairs—
  - I R. Simeon says, "[If] they are far from one another, they are clean."
- **4:5** A Ten cloaks, one on top of the other—
  - B [if] he slept on the topmost one,
  - C they are all unclean.
  - D [If] the *Zab* is on one side of a balance, and a bed or chair is opposite him [on the other balance],
  - E [if] the *Zab* went down, they are clean.
  - F [If] they went down [outweighing the *Zab* and thus lifting him up], they are unclean.

- G R. Simeon says, "[If there was] one [place to lie or sit on at the opposite end and that end went down], it is unclean.
- H "And if they were many, they are clean.
- I "For no one of them bears [the weight of] the greater part of the Zab."
- **4:6** A [If] the *Zab* is on one side of the scale and food and drink are on the second, they are unclean.
  - B [But] in the case of a corpse, all is clean, except for the man.
  - C This is more strict in the case of the *Zab* than in the case of the corpse.
  - D And more strict is the rule in the case of the corpse than in the case of the Zab,
  - E for the *Zab* makes [unclean] the bed and chair which are under him so that they impart uncleanness to man and impart uncleanness to clothing,
  - F and [imparts] to what is above him *maddaf* uncleanness so that it imparts uncleanness to food and drink,
  - G which the corpse does not effect.
  - H More strict is the rule in the case of the corpse,
  - I for the corpse imparts uncleanness in the Tent and imparts uncleanness for seven days,
  - J which uncleanness the *Zab* does not effect.
- **4:7** A [If] he was sitting on the bed, and four cloaks were under the four legs of the bed, they are unclean, because it [the bed] cannot stand on three [legs].
  - B R. Simeon declares clean.
  - C [If] he was riding on a beast, and four cloaks were under the four hooves of the beast, they are clean, because it can stand on three [hooves].
  - D [If] there was a single cloak under its two forelegs, under its two hindlegs, under a foreleg and a hindleg, it is unclean.
  - E R. Yose says, "The horse imparts uncleanness with the hindlegs, the ass with his forelegs.
  - F "For the horse leans on its hindlegs, and the ass leans on its forelegs."
  - G [If] he sat on the beam of the olive press, utensils which are in the roller are unclean.
  - H [If he sat] on the fuller's press, the garments under it are clean.
  - I R. Nehemiah declares unclean.
- **5:1** A He who touches the *Zab*, or whom the *Zab* touches,
  - B he who moves the *Zab*, or whom the Zab moves
  - C imparts uncleanness to food and drink and utensils which may be cleaned through rinsing
  - D when [he is in] contact but not when he carries.
  - E A general rule did R. Joshua state: "Whoever imparts uncleanness to clothes,
  - F "when he is in contact
  - G "imparts uncleanness to food and drink, putting [them] into the first re—move,
  - H "and to the hands, putting [them] into the second remove.
  - I "But he does not impart uncleanness either to man or to clay utensils.
  - J "After he separates from the things which make him unclean,
  - K "he imparts uncleanness to liquid, putting [it] into the first remove,
  - L "and to food and the hands, putting [them] into the second remove.
  - M "And he does not impart uncleanness to clothes."
- **5:2** A And further: Another general rule did they state:
  - B Whatever is carried above the *Zab* is unclean.

- C And whatever the *Zab* is carried upon is clean,
- D except for something which is suitable for sitting and lying,
- E and [except for] man.
- F How so?
- G [If] the finger of the Zab is under the course of stones, and the clean person is above them,
- H he imparts uncleanness at two removes and renders [heave offering] unfit at one [still further remove].
- I [When] he separates, he imparts uncleanness at one remove and renders unfit at one [still further remove].
- J [If] the unclean person is above them and the clean person is below them, he imparts uncleanness at two removes and renders unfit at one [still further remove].
- K [When] he separates, he imparts uncleanness at one remove and renders unfit at one [still further remove].
- L [If] food and drink, bed and chair, and *maddaf* [articles not used for sitting and lying] are above [the course of stones, and the *Zab's* finger was below], they impart uncleanness at two removes [or: one remove] and render unfit at one.
- M [When] they separate, they impart uncleanness at one remove and render unfit at one remove.
- N [And if] the bed and chair are below them [and the *Zab*'s finger was above, they impart uncleanness at two removes and render unfit at one.
- O [When] they separate, they impart uncleanness at two removes and render unfit at one.
- P [If] food and drink and *maddaf* are below them [and the *Zab*'s finger was above the course of stones], they remain clean.
- **5:3** A (For they have said:)
  - B Whatever carries and is carried on top of a bed is clean,
  - C except for man.
  - D Whatever carries or is carried on top of carrion is clean,
  - E except for him who shifts [it].
  - F R. Eliezer says, "Also: he who carries it."
  - G Whatever carries or is carried on top of the corpse is clean,
  - H except for that which overshadows,
  - I and except for man when he shifts [it].
- **5:4** A [If] part of one who is unclean is on top of him who is clean,
  - B or [if] part of one who is clean is on top of one who is unclean,
    - C or [if] that which is connected to someone who is unclean is on top of someone who is clean,
    - D or [if] that which is connected to one who is clean is on top of the one who is unclean—E he is unclean.
    - F R. Simeon says, "[If] part of one who is unclean is on top of one who is clean, he is unclean.
    - G "And if part of someone who is clean is on top of someone who is unclean, he is clean."
- **5:5** A [If] the unclean person is on part of the bed, and the clean person is on part of the bed, he is unclean.
  - B [If] part of the unclean person is on the bed, and part of the clean person is on the bed, he is clean.
  - C It turns out that uncleanness enters it and leaves it through its lesser part.

- D And so: A loaf of bread made of heave offering flour which is placed on top of a bed, and paper is between,
- E whether it is above or below,
- F is clean.
- G And so with a stone afflicted with a *nega*—
- H it [the loaf] is clean.
- I R. Simeon declares unclean in this case.
- **5:6** A He who touches the *Zab* and the *Zabah* and the menstruating woman and the woman after childbirth and the *mesora*,
  - B a bed or a chair [that any of these have lain or sat upon]
  - C imparts uncleanness at two removes and renders [heave offering] unfit at one further remove.
  - D [If] he separated, he imparts uncleanness at one remove and renders unfit at one further remove.
  - E All the same are the one who touches and the one who shifts,
  - F and all the same are the one who carries and the one who is carried.
- **5:7** A He who touches the flux of the *Zab*, and his spit, his semen, his urine, and the blood of the menstruating woman imparts uncleanness at two removes and renders unfit at one.
  - B [If] he separated, he imparts uncleanness at one remove and renders unfit at one.
  - C All the same are the one who touches and the one who shifts.
  - D R. Eliezer says, "Also: the one who carries."
- **5:8** A He who carries the saddle, and he who is carried on it, and he who moves it imparts uncleanness at two removes and renders unfit at one.
  - B [If] he separated, he imparts uncleanness at one remove and renders unfit at one remove.
  - C He who carries the carrion and purification water sufficient in volume for sprinkling imparts uncleanness at two removes and renders unfit at one.
  - D [If] he separated, he imparts uncleanness at one remove and renders unfit at one.
- **5:9** A He who eats the carrier of a clean bird, when it is in his gullet, imparts uncleanness at two removes and renders unfit at one.
  - B [If] he put his head into the contained airspace of the oven, the oven is clean.
  - C [If] he vomited it up or swallowed it, he imparts uncleanness at one remove and renders unfit at one.
  - D And when it is in his mouth before he swallows it [so that it enters his gullet], he is clean.
- **5:10** A He who touches a dead creeping thing, and semen, and one who is made unclean by reason of a corpse, and the *mesora* during the period of his counting [clean days, preparatory to the purification rite], and purification water insufficient in volume for sprinkling, and carrion, and a saddle imparts uncleanness at one remove and renders unfit at one remove.
  - B This is the general rule: Whatever touches any one of all the Fathers of Uncleanness which are listed in the Torah imparts uncleanness at one remove and renders unfit at one remove,
  - C except for man.
  - D [If] one separated, he imparts uncleanness at one remove and renders unfit at one remove.
- **5:11** A One who has had a seminal emission is like one who has touched a dead creeping thing.

- B He who has sexual relations with a menstruating woman is like one who is unclean by reason of corpse uncleanness.
- C But more strict is the rule concerning the one who has sexual relations with a menstruating woman:
- D for he imparts uncleanness to bed and chair
- E with a minor sort of uncleanness, [rendering the bed and chair capable of] imparting uncleanness to food and drink.
- **5:12** A These render heave offering unfit:
  - B he who eats food unclean in the first remove;
  - C and he who eats food unclean in the second remove;
  - D and he who drinks unclean liquid;
  - E he whose head and the greater part of whose body enters drawn water;
  - F and one who was clean on whose head and the greater part of whose body three *logs* of drawn water fall;
  - G and the book, and the hands, and the *tebul-yom*;
  - H and food and utensils which have been made unclean by [unclean] liquids.

### **TEBUL-YOM**

- **1:1** A He who collects pieces of dough offering with the intention to separate [them], but they stuck together—
  - B The House of Shammai say, "It is deemed connected in the case of a *tebul-yom*.
  - C And the House of Hillel say, "It is not deemed connected."
  - D Pieces of dough sticking one to the other,
  - E and loaves sticking to one another,
  - F he who bakes a cake on top of [another] cake before they have formed a crust in the oven,
  - G and a blown-up skin of froth on the water,
  - H and the first scum to rise in boiling bean grits,
  - I and the scum of new wine—
  - J R. Judah says, "Also that of rice"—
  - K The House of Shammai say, "It is deemed connected in the case of a *tebul-yom*."
  - L And the House of Hillel say, "It is not a connector."
  - M And they agree in the case of all other sources of uncleanness, whether they are minor or major.
- **1:2** A He who collects pieces of dough offering not with the intention to separate [them]—
  - B he who bakes a cake on top of [another] cake after they have formed a crust in the oven,
  - C and a skin of froth on water that was not blown up,
  - D and the second scum to rise in boiling bean grits,
  - E and the scum of old wine,
  - F and of oil under all circumstances,
  - G and of [boiled] lentils,
  - H R. Judah says, "Also of vetchlings"—
  - I are made unclean by a *tebul-yom*.
  - J And it is not necessary to say, By all [other] sources of uncleanness.

- **1:3** A The knob [of dough] which is behind the loaf,
  - B and a small lump of salt,
  - C and the burned crust less than a finger's breadth—
  - D R. Yose says, "Anything which is eaten with it"—
  - E are made unclean by a *tebul-yom*.
  - F And it is not necessary to say, By all [other] sources of uncleanness.
- **1:4** A The pebble which is in the loaf,
  - B and a large lump of salt,
  - C and the lupine,
  - D and the burned crust larger than a finger's breadth—
  - E R. Yose says, "Anything which is not eaten with it"—
  - F are clean [when touched] by a Father of Uncleanness,
  - G and it is not necessary to say, By a *tebul-yom*.
- **1:5** A Barley and spelt, when they are not husked,
  - B crowfoot root, asafoetida, and silphium—
  - C R. Judah says, "Also black chickpeas"—
  - D "are clean [when touched] by a Father of Uncleanness, and it is not necessary to say, By a *tebul-yom*," the words of R. Meir.
  - E And sages say, "They are clean [when touched] by a *tebul-yom* and unclean [when touched] by all [other] sources of uncleanness."
  - F Barley and spelt when they are husked,
  - G and wheat, whether it is husked or unhusked,
  - H black cumin, sesame, and pepper—
  - I R. Judah says, "Also: white chickpeas"—
  - J are unclean [when touched] by a *tebul-yom*,
  - K and it is not necessary to say, By all [other] sources of uncleanness.
- **2:1** A The liquids [which exude from] the *tebul-yom* are like the liquids which he touches:
  - B these and those are not susceptible to uncleanness.
  - C And all other sources of uncleanness, whether minor or major—
  - D the liquids which exude from them are like liquids which he touches:
  - E these and those are in the first remove of uncleanness,
  - F except for the liquid which [itself] is a Father of Uncleanness.
- **2:2** A A cooking pot which is full of liquids, and which a *tebul-yom* touched—
  - B if it was liquid of heave offering,
    - C the liquids are unfit, but the pot is clean.
    - D And if it was liquid of unconsecrated food,
    - E all is clean.
    - F And if his hands were dirty,
    - G all is unclean.
    - H This rule is more stringent in the case of hands than in the case of the *tebul-yom*.
    - I And more stringent is the rule pertaining to the *tebul-yom* than that pertaining to hands:
    - J For a matter of doubt in connection with the *tebul-yom* spoils heave offering,
    - K but as to hands, a matter of doubt concerning them is deemed to be clean.

- **2:3** A The porridge [made from] heave offering, and the garlic and the oil of unconsecrated food, part of which a *tebul-yom* touched—
  - B he has rendered the whole unfit.
  - C The porridge [which is made] from unconsecrated food, and the garlic and the oil of heave offering, part of which a *tebul-yom* touched—
  - D he has rendered unfit only the place which he touched.
  - E And if the garlic formed the greater part, they follow the greater part.
  - F Said R. Judah, "When? At the time that they [form] a [single] mass in the dish. "But if it was chopped up in a mortar, it is clean, because he [the owner] wants to scatter it."
  - G And [so is the rule in the case of] all other things which are crushed, which one crushed together with liquids.
  - H But as to that which is usually crushed with liquids, and which one crushed not with liquids, and which forms a single mass in the dish, lo, they are [treated] as [if they were] a ring of figs.
- **2:4** A The porridge and the cake which were made of unconsecrated food, and oil of heave offering floats on their surface, and a *tebul-yom* touched the oil—
  - B he has rendered unfit only the oil.
  - C And if he stirred [them all together], any place in which the oil ran is unfit.
- **2:5** A The meat of Holy Things on which a layer of jelly formed a crust, and a *tebul-yom* touched the jelly—
  - B the pieces of meat are permitted.
  - C [If] he touched a piece of meat, the piece of meat and whatever comes up with it form a connector to one another.
  - D R. Yohanan b. Nuri says, "Both of them are deemed connected to one another."
  - E And so in the case of pulse which formed a crust over pieces of bread.
  - F And that which is cooked in the cooking pot and pulse, when they are separate from one another, [are] not [deemed] connected. When they form a single mass, [they are deemed] connected.
  - G If there were many masses [of pulse], lo, they are counted.
  - H Oil which is floating on the surface of wine, and a *tebul-yom* touched the oil—
  - I he has rendered unfit only the oil.
  - J R. Yohanan b. Nuri says, "Both of them are deemed connected to one another."
- 2:6 A A jar which sunk into a cistern of wine, and a *tebul-yom* touched it—
  - B [if he touched it] from the rim and inward, it is deemed connected.
  - C [If he touched it] from the rim and outward, it is not deemed connected.
  - D R. Yohanan b. Nuri says, "Even if [the level of the wine in the cistern] was man's height [above the sunken jar], and he touched [the wine] directly above its [the jar's] mouth, it is deemed connected."
- **2:7** A A jar [containing heave offering wine] which was perforated, whether at its rim or its bottom or at its sides, and which a *tebul-yom* touched—
  - B it is unclean.
  - C R. Judah says, "[If the hole is] at its rim or at its bottom, it is unclean.

- D "But [if it is] at the sides, on this side or on that, it is clean."
- E He who pours from jar to jar, and a *tebul-yom* touched the stream [of liquid],
- F if there is in it [the jar, any wine], it is neutralized in one hundred and one.
- **2:8** A A bubble which is in a [clay] jar, which was perforated, whether on the inner side or the outer side,
  - B whether at the top or at the bottom,
  - C opposite one another—
  - D [it] is made unclean by a Father of Uncleanness and is made unclean in the Tent of the corpse.
  - E [If] the [hole on] the inside was at the bottom, and the [one on the] outside [was] at the top, it is made unclean by a Father of Uncleanness, and it is made unclean in the Tent of the corpse.
  - F [If the hole on] the inside was at the top, and the [one on the] outside was at the bottom, it is clean [if touched by] a Father of Uncleanness, but it is made unclean in the Tent of the corpse.
- **3:1** A All [stalks serving as] handles to produce which are deemed connected in the case of uncleanness imparted by a Father of Uncleanness are deemed connected in the case of [the touch of] *a tebul-yom*.
  - B Produce which was severed but which is attached in part—
  - C R. Meir says, "If one holds the larger part and the smaller part is pulled up with it, lo, this is deemed equivalent to it."
  - D R. Judah says, "If one holds the smaller part and the larger is pulled up with it, lo, it is deemed equivalent to it."
  - E R. Nehemiah says, "[This estimation is made of the part that is] clean."
  - F And sages say, "[This estimation is made of the part that is] unclean."
  - G And as to all other produce:
  - H That which is usually held by the leaf—one holds it by the leaf.
  - I [And as to that which is usually held] by the stalk, they hold it by the stalk."
- **3:2** A A vegetable which is of heave offering, and a beaten egg is placed on top of it—
  - B and a *tebul-yom* touched the egg—
  - C he has rendered unfit only the stalk which is over against it.
  - D R. Yose says, "[He has rendered unfit] the entire upper row."
  - E If it was like a cap, it is not connected.
- **3:3** A The streak of an egg which formed a crust on the sides of a pan, and which *a tebul-yom* touched—
  - B [if he touched it] from the rim and inward, it is deemed connected. [If he touched it] from the rim and outward, it is not connected.
  - C R. Yose says, "The streak and whatever is peeled away with it [are deemed connected]."
  - D And so in the case of pulse which formed a crust on the lip of the pot.
- **3:4** A Dough which was mixed [with heave offering dough],
  - B or which was leavened with heave offering yeast,
  - C is not made unfit by a *tebul-yom*.
  - D R. Yose and R. Simeon declare unfit.

- E Dough which was rendered susceptible to uncleanness by liquid and kneaded with fruit juice, and which a *tebul-yom* touched—
- F R. Eleazar b. Judah of Bartuta says in the name of R. Joshua, "He has rendered the entire mixture unfit."
- G R. Aqiba says in his name, "He has rendered unfit only the place which he [actually] touched."
- **3:5** A An unconsecrated vegetable which one boiled in heave offering oil, and which a *tebul-yom* touched—
  - B R. Eleazar b. Judah of Bartuta says in the name of R. Joshua, "He has rendered the entire mixture unfit."
  - C R. Aqiba says in his name, "He has rendered unfit only the place which he touched."
- **3:6** A A clean person who chewed on food,
  - B and it fell on his clothing and on a loaf of bread of heave offering—
    - C it is insusceptible to receive uncleanness.
    - D [If] he was eating crushed olives, and wet dates—
    - E anything on the pit of which he wishes to suck—
    - F and it fell on his clothing and on a loaf of bread of heave offering—
    - G it is susceptible to receive uncleanness.
    - H [If] he was eating dried olives and dry dates—
    - I anything on the pit of which he does not wish to suck—
    - J and it fell on his garments and on a loaf of bread of heave offering—
    - K it is insusceptible to receive uncleanness.
    - L All the same is the rule which applies to the clean person and to the *tebul-yom* in these matters.
    - M R. Meir says, "These and these are unclean in the case of the *tebul-yom*, because liquids of an unclean person impart susceptibility to uncleanness whether with approval or not with approval."
    - N And sages say, "The *tebul-yom* is not regarded as unclean."
- **4:1** A Produce of tithe which was rendered susceptible to uncleanness by liquid and which a *tebul-yom* touched,
  - B or dirty hands—
  - C they separate from it heave offering of tithe in a state of cleanness,
  - D because it is in the third remove, and the third remove is clean so far as unconsecrated food is concerned.
- **4:2** A The woman who is a *tebul[at]-yom* kneads dough and cuts off dough offering for it, and sets it apart, and puts it in an Egyptian basket or on a board, and brings it near and designates it by name,
  - B because it is in the third remove of uncleanness, and the third remove is clean so far as unconsecrated food is concerned.
- **4:3** A A kneading trough which is in the status of that which has been immersed on the selfsame day—
  - B they knead dough in it, and cut off dough offering from it, and she brings it near, and designates it by name,

- C because it is in the third remove, and that which is in the third remove is clean for unconsecrated food.
- **4:4** A A flagon which is in the status of that which had been immersed on the selfsame day and which had been filled from a jar containing [first] tithe which was yet untithed—
  - B if he said, "Lo, this will be heave offering of tithe once it gets dark, "
  - C lo, this is heave offering of tithe.
  - D If he said, "Lo, this is an *erub*," he has said nothing.
  - E [If] the jar broke, what is in the flagon continues in its status of being untithed.
  - F [If] the flagon broke, the jar remains in its status of being untithed.
- **4:5** A At first they would rule: They exchange [second-tithe money in Jerusalem] for the produce of an *Am haares*.
  - B They reverted to rule: Even for his coins.
  - C At first they would rule: He who goes forth in fetters and stated, "Write a writ of divorce for my wife"—Io, they are to write and deliver [the writ of divorce to his wife].
  - D They reverted to rule: [That is the rule] even in the case of one who went out on a voyage or set forth with a caravan.
  - E R. Simeon Shezuri says, "Even in the case of one who is on the point of death."
- **4:6** A The Askelon grappling irons which were broken and the hook of which remains—lo, these are unclean.
  - B The pitchfork, the winnowing fork, and the rake, and so, too, a haircomb, one of the teeth of which was removed and [the wooden tooth of] which one repaired with a metal one—lo, these are unclean.
  - C And concerning all of them said R. Joshua, "A new thing did the scribes innovate, and I cannot answer [their critics]."
- **4:7** A He who gives heave offering from the cistern, and said, "Lo, this is heave offering on condition that it come up in safety"—
  - B [his condition is understood to mean], safe from breakage and from spillage, but not from uncleanness.
  - C R. Simeon says, "Even from uncleanness."
  - D [If the jar] broke, it does not count as heave offering.
  - E To what extent is it broken and not counted as heave offering? Only so far that it rolls back and reaches the cistern.
  - F R. Yose says, "Even one who had in mind to state such a condition but did not state it—[if] the jar broke, it is not deemed heave offering,
  - G "because this is a condition in general enjoined by the court."

# YADAYIM

- **1:1** A [To render hands clean] a quarter-*log* of water do they pour for hands,
  - B for one,
  - C also for two.
  - D A half-log [is to be used] for three or four.

- E A *log* [is to be used] for five and for ten and for a hundred.
- F R. Yose says, "And on condition that for the last among them, there should not be less than a quarter-*log*."
- G They add [to the water used] for the second [pouring], but they do not add [to the water used] for the first [pouring of water over the hands].
- **1:2** A With all sorts of utensils do they pour [water] for hands,
  - B even with utensils made of dung, utensils made of stone, utensils made of [unbaked] clay.
  - C They do not pour [water] for hands either with the sides of [broken] utensils, or the bottom of a ladling jar, or with the plug of a barrel.
  - D Nor should a man pour [water] for his fellow with his cupped hands.
  - E For they draw, and they mix [water with the ash of the red cow], and they sprinkle purification water, and they pour [water] for hands only with a utensil.
  - F And only utensils afford protection with a tightly fitted cover, and nothing affords protection from the power of a clay utensil [in the Tent of a corpse] except utensils.
- **1:3** A Water which was unfit for cattle to drink
  - B [when it is located] in utensils, is unfit.
  - C [When it is located] on the ground, it is fit.
  - D [If] there fell into it ink, gum, or copperas, and its color changed, it is unfit.
  - E [If] one did work with it,
  - F or if he soaked his bread in it,
  - G it is unfit.
  - H Simeon of Teman says, "Even if he intended to soak [bread] in this and it fell into the second, it [the second] is fit."
- **1:4** A [If] he rinsed utensils in it,
  - B or scrubbed measures in it,
    - C it is unfit.
    - D [If] he rinsed in it vessels which had already been rinsed,
    - E or new [vessels],
    - F it is fit.
    - G R. Yose declares unfit in [the case of rinsing] new [vessels in it].
- **1:5** A The water in which the baker dips loaves of fine bread is unfit.
  - B And when he rinses his hands in it, it is fit.
  - C All are fit to pour water on hands, even a deaf-mute, an imbecile, or a minor.
  - D One places the jar between his knees and pours [out water on his hands].
  - E One sets the jar on its side and pours [out water].
  - F And the ape pours water for hands.
  - G R. Yose declares unfit in these two cases.
- **2:1** A [If] one poured water for one hand with a single rinsing, his hand is clean.
  - B [If he poured water] for two hands with a single rinsing—
  - C R. Meir declares unclean unless he will pour a quarter-log [of water].
  - D [If] a loaf of heave offering fell [on the water a quarter-*log* in quantity which has been poured on the hands in a single rinsing], it is clean.
  - E R. Yose declares unclean.

- **2:2** A [If] one poured out the first [water] in one place and the second in another place,
  - B and a loaf of heave offering fell on the first, it is unclean.
  - C And [if it fell] on the second, it is clean.
  - D [If] he poured out the first [water] and the second in one place, and a loaf of heave offering fell [on it], it is unclean.
  - E [If] he poured out the first [water], and a splinter or pebble was found on his hands, his hands are unclean,
  - F for the second water cleans only the water which is on the hand.
  - G Rabban Simeon b. Gamaliel says, "Whatever originates in water is clean."
- **2:3** A The hands are susceptible to uncleanness and are rendered clean up to the wrist.
  - B How so?
  - C [If] one poured the first [water] up to the wrist, and the second beyond the wrist and it went back to the hand—it is clean.
  - D [If] he poured out the first and the second [pouring of water] beyond the wrist and it went back to the hand, it is unclean.
  - E [If] he poured out the first water onto one hand, and was reminded and poured out the second [water] on to both hands, they are unclean.
  - F [If] he poured out the first water on to both hands and was reminded and poured out the second [water] on to one hand, his hand [which has been washed twice] is clean.
  - G [If] he poured out water on to one hand and rubbed it on the other, it is unclean.
  - H [If he rubbed his hand] on his head or on the wall, it is clean.
  - I They pour out [water on the hands of] four or five people side by side, or above one another,
  - J on condition that they [the hands] lie loosely so that the water will flow among them.
- **2:4** A [If it is in] doubt that work has or has not been done with it,
  - B [if it is in] doubt that they contain or do not contain the requisite measure,
  - C [if it is in] doubt whether it is unclean or clean—
  - D a matter of doubt concerning it is clean.
  - E For they have said:

A matter of doubt concerning the hands, whether [they are] unclean, or whether [they are deemed] to have imparted uncleanness, or whether [they are deemed] to have been made clean, is resolved as clean.

- F R. Yose says, "[A matter of doubt concerning whether the hands have] been made clean is resolved as unclean."
- G How so?
- H [If] his hands were clean, and before him were two unclean loaves of bread,
- I [if it is in] doubt whether or not he touched them—
- J [if] his hands were unclean, and before him were two clean loaves of bread,
- K [if] one of his hands was unclean and one of his hands was clean and before him were two clean loaves of bread,
- L [and if] he touched one of them,
- M [if it is in] doubt whether he touched with the unclean or whether he touched with the clean [hand]—
- N [if] his hands were clean, and before him were two loaves of bread, one of them unclean and one of them clean,
- O [and if] he touched one of them,

- P [if it is in] doubt whether he touched the unclean or whether he touched the clean [loaf of bread]—
- Q [if] one of his hands was unclean and one was clean, and before him were two loaves [of bread], one of them unclean and one of them clean,
- R [if] he touched both of them,
- S [if it is in] doubt whether the unclean [hand touched] the unclean [loaf of bread] and the clean [hand touched] the clean [loaf of bread],
- T or [whether] the clean [hand touched] the unclean [loaf of bread] and the unclean [hand touched] the clean [loaf of bread]—
- U the hands remain as they were before [in their former status], and the loaves of bread as they were before [in their former status].
- **3:1** A He who pokes his hands into a house afflicted with *nega*
  - B "his hands are in the first remove of uncleanness," the words of R. Aqiba.
  - C And sages say, "His hands are in the second remove of uncleanness."
  - D Whoever imparts uncleanness to clothing, when in contact [with them], imparts uncleanness to the hands—
  - E "So that they are in the first remove of uncleanness, the words of R. Aqiba.
  - F And sages say, "So that they are in the second remove of uncleanness."
  - G Said they to R. Aqiba, "When do we find that the hands are in the first remove of uncleanness under any circumstances whatsoever?"
  - H He said to them, "And how is it possible for them to be in the first remove of uncleanness without his body's [being] made unclean, outside of the present case?"
  - I "Food and utensils which have been made unclean by liquids impart uncleanness to the hands so that they are in the second remove of uncleanness," the words of R. Joshua.
  - J And sages say, "That which is made unclean by a Father of Uncleanness imparts uncleanness to the hands. [That which has been made unclean] by an Offspring of Uncleanness does not impart uncleanness to the hands."
  - K Said Rabban Simeon b. Gamaliel, "*M'SH B*: A certain woman came before father.
  - L "She said to him, 'My hands entered the contained airspace of a clay utensil.'
  - M "He said to her, 'My daughter, By what had it been made unclean?"
  - N "But I did not hear what she said to him."
  - O Said sages, "The matter is clear. That which has been made unclean by a Father of Uncleanness imparts uncleanness to the hands. [That which has been made unclean] by an Offspring of Uncleanness does not impart uncleanness to the hands."
- **3:2** A "Whatever imparts unfitness to heave offering imparts uncleanness to hands, putting them into the second remove of uncleanness.
  - B "One hand imparts uncleanness to the second," the words of R. Joshua.
  - C And sages say, "That which is unclean in the second remove does not put [something else into uncleanness at] the second remove."
  - D He said to them, "And do not sacred scriptures, unclean in the second remove, impart uncleanness to hands?"
  - E They said to him, "They do not draw inferences about rulings of the Torah from rulings of scribes, nor about rulings of scribes from rulings of Torah, nor about rulings of scribes from rulings of scribes."
- **3:3** A The straps of *tefillin* [while they are still attached] to the *tefillin* impart uncleanness to hands.

- B R. Simeon says, "The straps of *tefillin* [under any circumstances] do not impart uncleanness to hands."
- **3:4** A The blank spaces in a scroll, whether above or below or at the beginning or at the end impart uncleanness to hands.
  - B R. Judah says, "That which is at the end does not impart uncleanness unless one will affix the roller to it."
- **3:5** A A scroll which was erased and in which remain eighty-five letters
  - B such as the paragraph, And it came to pass when the ark set forward [Num. 10:35f.],
    - C imparts uncleanness to hands.
    - D A scroll in which eighty-five letters are written,
    - E such as the paragraph, And it came to pass when the ark set forward,
    - F imparts uncleanness to hands.
    - G All sacred scriptures impart uncleanness to hands.
    - H The Song of Songs and Qohelet impart uncleanness to hands.
    - I R. Judah says, "The Song of Songs imparts uncleanness to hands, but as to Qohelet there is dispute."
    - J R. Yose says, "Qohelet does not impart uncleanness to hands, but as to Song of Songs there is dispute."
    - K Rabbi Simeon says, "Qohelet is among the lenient rulings of the House of Shammai and strict rulings of the House of Hillel."
    - L Said R. Simeon b. Azzai, "I have a tradition from the testimony of the seventy-two elders,
    - M "on the day on which they seated R. Eleazar b. Azariah in the session,
    - N "that the Song of Songs and Qohelet do impart uncleanness to hands."
    - O Said R. Aqiba, "Heaven forbid! No Israelite man ever disputed concerning Song of Songs that it imparts uncleanness to hands.
    - P "For the entire age is not so worthy as the day on which the Song of Songs was given to Israel.
    - Q "For all the scriptures are holy, but the Song of Songs is holiest of all.
    - R "And if they disputed, they disputed only concerning Qohelet."
    - S Said R. Yohanan b. Joshua the son of R. Aqiba's father-in-law, according to the words of Ben Azzai, "Indeed did they dispute, and indeed did they come to a decision."
- **4:1** I A On that day did they vote and decide concerning
  - B a footbath—
    - C which holds from two *logs* to nine *qabs* and which was cracked,
  - D that it is susceptible to uncleanness through *midras* uncleanness.
  - E For R. Aqiba says, "A footbath is according to its name."
- **4:2** II A On that day they said:
  - B All sacrifices which were slaughtered not for their own name are fit.
  - C But they do not go to their owner's credit in fulfillment of an obligation,
  - D except for the Passover and the sin offering,
  - E the Passover at its season, and the sin offering at all times.
  - F R. Eliezer says, "Also the guilt offering.
  - G "The Passover at its season, and the sin offering and guilt offering at all times."

- Η Said R. Simeon b. Azzai, "I have a tradition of the seventy-two elders "on the day on which they seated R. Eleazar b. Azariah in session, that:
- Ι "All sacrifices which are eaten, which have been sacrificed not for their own name, are suitable.
- J "But they do not go to their owner's credit in fulfillment of an obligation,
- Κ "except for the Passover and the sin offering."
- Ben Azzai added only the whole offering. L
- Μ But the sages did not agree with him.
- Ш On that day they said: А
  - What of Ammon and Moab in the Sabbatical year? В
  - R. Tarfon decreed [that they give] poor man's tithe. С
  - D And R. Eleazar b. Azariah decreed [that they give] second tithe.
  - Ε 1. said R. Ishmael, "Eleazar b. Azariah: You must bring forth proof, since you give a stringent ruling.
    - 2. "For everyone who gives a stringent ruling must bring forth proof."
  - F Said to him R. Eleazar b. Azariah, "Ishmael, my brother: I have not changed the order of the years.

2. "Tarfon, my brother, changed it, and he must bring forth proof."

- G R. Tarfon answered, "Egypt is outside the Land [of Israel], and Ammon and Moab are outside the Land. Therefore [just as in] Egypt, poor man's tithe [must be given] in the Sabbatical year, so [in] Ammon and Moab, poor man's tithe [must be given in the Sabbatical year]."
- Η R. Eleazar b. Azariah answered, "Babylonia is outside the Land, and Ammon and Moab are outside the Land. Therefore, [just as in] Babylonia, second tithe [must be given] in the Sabbatical year, so [in] Ammon and Moab second tithe [must be given] in the Sabbatical year."
- Ι Said R. Tarfon, "Egypt, which is near [the Land], have they made liable for poor man's tithe, so that the poor of Israel may depend upon it in the Sabbatical year. So too Ammon and Moab, which are near [the Land] have they made liable for poor man's tithe, so that the poor of Israel may depend upon them in the Sabbatical year."
- R. Eleazar b. Azariah said to him, "Lo, you are like one who would bestow [on J them] worldly gain, yet you are like one who would cause them to perish. 2. "You would close up the heavens so that they send down neither dew nor rain, 3. "for it is written, 'Will a man rob God? Yet you rob me.' But you say, 'Wherein have we robbed you?' 'In tithes and heave offering' (Mal. 3:8)."
- Responded R. Tarfon. Κ
- L 1. Said R. Joshua,

2. "Lo, I am like one who will respond on behalf of Tarfon, my brother, but not according to his reasoning.

3. "[The rule concerning] Egypt is a new decision, and that concerning Babylonia is an old decision, and the issue before us is a new decision. Let that which involves a new decision be derived from that which involves a new decision, but let not that which involves a new decision be derived from that which involves an old decision. 4. "The rule concerning Egypt is the decision of the elders. But the rule concerning Babylonia is the decision of the prophets. And the issue before us involves a decision of the elders. Let the rule concerning a decision of the elders be derived

**4:3** 

from the rule concerning a decision of the elders, and let not the rule concerning a decision of the elders be derived from a rule concerning a decision of the prophets."

- M They voted and decided:
- N Ammon and Moab give poor man's tithe in the Sabbatical year.
- O And when R. Yose the son of the Damascene came to R. Eliezer at Lydda, he [Eliezer] said to him, "What new thing have you [learned] in the *bet hammidrash* today?"
- P 1. He said to him, "They voted and decided:2. "Ammon and Moab give poor man's tithe in the Sabbatical year."
- Q Eliezer wept, saying, "The secret of the Lord is with those that fear him, and he will show them his covenant (Ps. 25:14).
- R "Go and tell them, 'Do not be anxious about your vote. I have received a tradition from Rabban Yohanan b. Zakkai, who heard it from his teacher, and his teacher from his teacher, a law given to Moses at Sinai,
- S 'that Ammon and Moab give poor man's tithe in the Sabbatical year."

#### **4:4** IV A On that day:

- B Judah an Ammonite proselyte came and stood before them in the *bet hammidrash*.
- C He said to them, "Am I allowed to enter the congregation?"
- D Rabban Gamaliel said to him, "You are forbidden [to enter the congregation]."
- E R. Joshua said to him, "You are permitted."
- F Rabban Gamaliel said to him, "Scripture says, An Ammonite or a Moabite shall not enter into the assembly of the Lord, even to the tenth generation (Dt. 23:4)."
- G R. Joshua said to him, "And are there Ammonites and Moabites in this place?
- H "Already has Sennacherib, king of Assyria, come up and mixed up all the nations.
- I "As it is said, I have removed the bounds of the peoples and have robbed their treasures and have brought down as a valiant man them that sit on thrones (Is. 10: 13)."
- J Rabban Gamaliel said to him, "Scripture says, *But afterward I will bring again the captivity of the children of Ammon* (Jer. 49:6). "And indeed they have returned."
- K R. Joshua said to him, "Scripture says, And I will return the captivity of my people Israel and Judah, says the Lord (Amos 9:14).
   "And as yet they have not returned."
- L And they permitted him to enter into the congregation.
- **4:5** A The Aramaic [passages] which are in Ezra and Daniel impart uncleanness to hands.
  - B The Aramaic [passages contained in Scriptures] written in Hebrew, or a Hebrew [version] written in Aramaic or [passages written in archaic] Hebrew script do not impart uncleanness to hands.
    - C [Holy Scriptures] impart uncleanness to hands only if written in Assyrian characters, on parchment, and with ink.
- **4:6** A Say Sadducees:
  - B "We complain against you, Pharisees.
  - C "For you say, 'Holy Scriptures impart uncleanness to hands, but the books of Homer do not impart uncleanness to hands."
  - D Said Rabban Yohanan b. Zakkai, "And do we have against the Pharisees only this matter alone?

- E "Lo, they say, 'The bones of an ass are clean, but the bones of Yohanan, high priest, are unclean."
- F They said to him, "According to their preciousness is their uncleanness.
- G "So that a man should not make the bones of his father and mother into spoons."
- H He said to them, "So too Holy Scriptures: According to their preciousness is their uncleanness.
- I "But the books of Homer, which are not precious, do not impart uncleanness to hands."
- **4:7** A Say Sadducees:
  - B "We complain against you, Pharisees.
  - C "For you declare clean an unbroken stream of liquid."
  - D Say Pharisees, "We complain against you, Sadducees.
  - E "For you declare clean a stream of water which comes from a cemetery."
  - F Say Sadducees, "We complain against you, Pharisees.
  - G "For you say, 'My ox and my ass which do injury are liable, but my man-servant and my maidservant which do injury are clear.'
  - H "Now if in respect to my ox and my ass, concerning which I am not obligated in respect to commandments, lo, I am liable for damage which they do, in respect to my manservant and my maidservant, concerning whom I am obligated in respect to commandments, logically should I [not] be liable for damage which they do?""
  - I They said to them, "No. If you have so stated concerning my ox and my ass, which are not possessed of intelligence, will you say so concerning my manservant and my maidservant, who are possessed of intelligence?
  - J "For if I should anger him, he will go and light a fire in someone else's stack of wheat, so that I am liable to pay restitution."
- **4:8** A Said a Galilean *Min*, "I complain against you, Pharisees.
  - B "For you write the name of the ruler with the name of Moses in a writ of divorce."
  - C Say Pharisees, "We complain against you [singular], Galilean Min.
  - D "For you [plural] write the name of the ruler with the name [of God] on the [same] page.
  - E "And, moreover:
  - F "For you write the name of the ruler above, and the name [of God] below.
  - G "As it is said, And Pharaoh said, Who is the Lord, that I should hearken unto his voice to let Israel go (Ex. 5:2).
  - H "And when he was smitten, what did he say?
  - I *"The Lord is righteous* (Ex. 9:27)."

# UQSIN

- **1:1** A Whatever is a handle but not a protector contracts uncleanness and imparts uncleanness but does not join together.
  - B [If] it protects even though it is not a handle, it contracts uncleanness and imparts uncleanness and joins together.
  - C [If] it is not a protector and not a handle, it does not contract uncleanness and does not impart uncleanness.

- **1:2** A The roots of garlic, onions, and leeks, when they are wet,
  - B and the nipple end thereof, whether wet or dry,
  - C and the scape that is close to the bulb,
  - D "the roots of lettuce,
  - E "the long radish, and the round radish, "
  - F the words of R. Meir—
  - G R. Judah says, "The large root of the long radish joins together, but its fibrelike roots do not join together"—
  - H the roots of the mint and of the rue,
  - I and wild herbs and garden herbs which one uprooted to transplant,
  - J and the spine of an ear [of corn] and its husk,
  - K R. Eleazar says, "Also the downy growth"—
  - L lo, these contract uncleanness and impart uncleanness and join together.
- **1:3** A These contract uncleanness and impart uncleanness but do not join together:
  - B The roots of the garlic and onions and leeks when they are dry,
  - C and the scape that is not close to the bulb;
  - D and the branch [handle] from which the grape cluster hangs, a handbreadth on either side,
  - E and the stem of the grape cluster, whatever its length,
  - F and the tail of the grape cluster that is stripped [of grapes];
  - G and the stem of the brush of the palm tree to a length of four handbreadths;
  - H and the stalk of an ear [of corn] to a length of three handbreadths;
  - I and the stalks of anything that is reaped, three [handbreadths];
  - J and as to that which is not usually reaped—their stems and their roots, in any measure at all,
  - K and the outer husks of ears of corn—
  - L lo, these contract uncleanness and impart uncleanness but do not join together.
- 1:4 A These do not contract uncleanness and do not convey uncleanness and do not join together: B The roots of stalks of cabbage, and shoots of beet roots, and turnips, those which it is the way to chop off but are uprooted.
  - C Yose declares unclean in the case of all of them, and declares clean in the case of the stalks of cabbages and turnips.
- **1:5** A All stalks of produce which one threshed in the threshing floor are insusceptible to uncleanness.
  - B R. Yose declares susceptible to uncleanness.
  - C The sprig of a grape cluster which is stripped of its grapes is clean.
  - D [If] one left on it a single grape, it is susceptible to uncleanness.
  - E The fruit stalk of a date palm which is stripped [of its dates] is insusceptible to uncleanness.
  - F [If] one left on it a single date, it is susceptible to uncleanness.
  - G And so with pulse:
  - H A stalk which is stripped is insusceptible to uncleanness.
  - I [If] one left on it a single pod, it is susceptible to uncleanness.
  - J R. Eleazar b. Azariah declares clean in the case of that of the bean, and declares unclean in the case of [other] pulse,
  - K because one wants [to make use of them] in handling them.

- **1:6** A The stalks of figs and dried figs,
  - B and acorns and carobs,
  - C lo, these contract uncleanness and impart uncleanness and join together.
  - D R. Yose says, "Also the stem of the gourd."
  - E And the stems of pears and pippins and quinces and medlars,
  - F the stem of the gourd—a handbreadth,
  - G the stem of the artichoke—a handbreadth,
  - H R. Eleazar bar Sadoq says, "Two handbreadths"—
  - I lo, these contract uncleanness and impart uncleanness and do not join together.
  - J And the stalks of all other [produce] do not contract uncleanness and do not impart uncleanness.
- **2:1** A Olives which one pickled with their leaves— they [the leaves] are insusceptible to uncleanness,
  - B for one pickled them only for appearance sake.
  - C The fine hair on a cucumber and the sprout thereof are insusceptible to uncleanness.
  - D R. Judah says, "So long as it is before the merchant, it is susceptible to uncleanness."
- **2:2** A All pits contract uncleanness and impart uncleanness but do not join together.
  - B The pit of a soft date, even though it is detached [from the edible part] joins together,
  - C and that of the dry [date] does not join together.
  - D Therefore the skin around the pit of a dried [date] joins together, and that of the soft does not join together.
  - E A pit, part of which is detached—
  - F that which is near the edible part joins together.
  - G A bone on which is flesh—
  - H that which is near the edible part joins together.
  - I [If] it was on it [the bone] on one side—
  - J R. Ishmael says, "They regard it as if it encompasses it in a ring."
  - K And sages say, "That which is near the edible part joins together."
  - L For example, the savory, marjoram, and thyme.
- **2:3** A The pomegranate or the watermelon, part of which is rotten— [what is rotten] does not join together.
  - B [If it is] sound on one side and the other and rotten in the middle, it does not join together.
  - C The nipple of the pomegranate joins together.
  - D And its sprouting hair does not join together.
  - E R. Eleazar says, "Even the comb is insusceptible to uncleanness."
- **2:4** A All rinds contract uncleanness and impart uncleanness and join together [to make up the requisite bulk to impart uncleanness].
  - B R. Judah says, "There are three skins in an onion:
  - C "(1) The inner one, whether whole or perforated, joins together;
  - D "(2) the middle one, when whole, joins together, and when perforated, does not join together;
  - E "(3) and the outer one, one way or the other, is insusceptible to uncleanness."

- **2:5** A He who chops up [produce] to cook [it], even if he did not [wholly] cut it through—it is not connected.
  - B [If he did so] to pickle it, to see the it, or to set it on the table, it is connected.
  - C [If] he began to take [it] apart, the food with which he began is not deemed connected.
  - D The nuts which one strung out on a string, and the onions which one tied into a bunch—lo, they are connected.
  - E [If] he began to take the nuts apart or to peel the onions, it is not connected.
  - F The nuts and the almonds are connected until one has crushed them.
- **2:6** A [The shell of] a roasted egg [is connected for uncleanness] until it has been chipped.
  - B And that of a boiled egg—until it is crushed.
  - C A bone in which is marrow is connected until it will be wholly crushed.
  - D [The rind of] a pomegranate which one has cut in two is connected until one will knock it with a stick [to empty it of seeds].
  - E Likewise:
  - F the loose stitches of the laundrymen,
  - G and the garment which is sewn with threads of mixed stuff—
  - H it is connected until one will begin to take it apart.
- **2:7** A The outer leaves of produce—
  - B when green, join together; and when white, do not join together.
  - C R. Eleazar b. Sadoq says, "The white ones join together in the case of the cabbage, because they are food;
  - D "and in the case of lettuce, since they guard the edible part."
- **2:8** A The leaves of onions and the shoots of onions—
  - B if there is sap in them,
  - C are measured as they are.
  - D If there is empty space in them, one presses down on their empty space.
  - E A spongy piece of bread is measured as it is.
  - F If there is an empty space in it, one presses down on its empty space.
  - G Calf meat which is swollen,
  - H and old meat which is shrunken,
  - I are measured as they are.
- **2:9** A A cucumber which one planted in a pot and which grew and [the root of which] went outside of the pot is insusceptible to uncleanness.
  - B Said R. Simeon, "What is its character that it should be insusceptible to uncleanness?
  - C "But that which is susceptible to uncleanness remains in its status of susceptibility to uncleanness, and that which is insusceptible to uncleanness is eaten."
- **2:10** A Utensils of dung and utensils of [unbaked] clay, through which roots can penetrate, do not render seeds [contained therein] susceptible to uncleanness.
  - B A pot with a hole does not render seeds susceptible to uncleanness.
  - C One without a hole renders seeds susceptible to uncleanness.
  - D How large is the measure of the hole?
  - E Sufficient[ly] large so that a small root can go out.
  - F [If] one filled it up with dirt to its brim, lo, it is like a tray which does not have a rim.

- **3:1** A There are [things] which require preparation [to be made susceptible to uncleanness] but do not require intention,
  - B intention and preparation,
  - C intention and no preparation,
  - D neither intention nor preparation.
  - E All edible foods which are designated for use by man require preparation but do not require intention.
- **3:2** A He who cuts off [flesh] from man and from beast and from a wild animal and from fowl,
  - B from the carrion of an unclean bird,
    - C and fat in the villages,
    - D and all other produce of the field,
    - E except for truffles and fungus—
    - F R. Judah says, "Except for wild leeks, purslane, and asphodel"—
    - G R. Simeon says, "Except for cardoon"—
    - H R. Yose says, "Except for acorns"—
    - I lo, these require intention and preparation.
- **3:3** A The carried of an unclean beast located anywhere,
  - B and the carrion of clean fowl in the villages
  - C require intention but do not require preparation.
  - D The carrien of a clean beast located anywhere,
  - E and the carrion of clean fowl,
  - F and fat in the markets
  - G do not require intention or preparation.
  - H R. Simeon says, "Also: the [carcass of] a camel, rabbit, cony, and pig."
- **3:4** A The dill, once it has imparted its flavor in the cooking pot, is no longer subject to heave offering and does not receive uncleanness as food.
  - B The sprouts of the service tree and of candytuft and leaves of arum do not receive uncleanness as food until they are sweetened.
  - C R. Simeon says, "Also: those of colocynth are like them."
- **3:5** A "Costus, and amomum, and the principal spices, crowfoot, and asafoetida, and black pepper, and lozenges of safflower
  - B "are purchased with money of [second] tithe,
  - C "but do not receive uncleanness as food," the words of R. Aqiba.
  - D Said to him R. Yohanan b. Nuri, "If they are purchased with money of [second] tithe, then why do they not receive uncleanness as food? If they do not receive uncleanness as food, then they also should not be purchased with the money of [second] tithe."
- **3:6** A Unripe figs and grapes—
  - B R. Aqiba declares susceptible to uncleanness as food.
  - C R. Yohanan b. Nuri says, "[That is the case] when they reach the time of liability to tithes."
  - D Olives and grapes which have turned hard—
  - E The House of Shammai declare susceptible to uncleanness.
  - F And the House of Hillel declare insusceptible to uncleanness.
  - G Black cumin—

- Η The House of Shammai declare insusceptible.
- And the House of Hillel declare susceptible. Ι
- J And so [with regard to the question of whether it is liable to] tithes [do they disagree].
- 3:7 The palm sprout— А
  - lo, it is like wood in every respect, В
  - except that it is purchased with money of [second] tithe. С
  - D Unripened dates are food, but are free of tithes.
- Fish—from what point do they receive uncleanness? 3:8 А
  - The House of Shammai say, "When they are caught." And the House of Hillel say, "When they die." В
  - С
  - R. Aqiba says, "If they could live." D
  - The branch of a fig tree which was broken off but was still attached by its bark— Ε
  - F R. Judah declares clean.
  - And sages say, "If it can live." G
  - Grain which was uprooted and is attached even by a small root is insusceptible to Η uncleanness.
- 3:9 Fat of [the carrion of] a clean beast is not unclean with the uncleanness of carrion. А
  - В Therefore it requires preparation.
  - С Fat [of the carrion of] an unclean beast is unclean with the uncleanness of carrion.
  - D Therefore it does not require preparation.
  - Е Unclean fish and unclean locusts require intention in the villages.
- 3:10 A beehive— Α

В

- R. Eliezer says, "Lo, it is (1) like the ground;
  - 2. "and they write a *prosbol* depending on it;
  - 3. "and it does not receive uncleanness [when standing] in its place;
  - 4. "and he who scrapes honey from it on the Sabbath is liable for a sin offering."
- And sages say, "It is (1) not like the ground: С
  - 2. "and they do not write a *prosbol* depending on it;
  - 3. "and it does receive uncleanness [when standing] in its place;
  - 4. "and he who scrapes honey from it on the Sabbath is free."
- 3:11 Honeycombs— from what point are they susceptible to uncleanness as liquid? Α
  - The House of Shammai say, "When one will smoke out [the bees therefrom]." В
  - And the House of Hillel say, "When one will have broken [the honeycombs to remove the С honey]."
- 3:12 Said R. Joshua b. Levi, "The Holy One, blessed be he, is going to give as an inheritance to Α every righteous man three hundred and ten worlds,
  - "As it is written, That I may cause those that love me to inherit substance and that I may В fill their treasuries (Prov. 8:21)."
  - Said R. Simeon b. Halafta, "The Holy One, blessed be he, found no utensil to hold Israel's С blessing except for peace,
  - "As it is written, The Lord will give strength to his people. The Lord will bless his people D with peace (Ps. 29: 11)."

### GLOSSARY Alan J. Avery-Peck

Am haares	An Israelite who is not trusted properly to tithe his produce or to observe the rules of Levitical cleanness. The opposite of a haber
Amah	A cubit (pl. amot).
Asherah	A tree worshipped in idolatry.
Asper	A small coin.
Bet hammidrash	Schoolhouse (lit.: study house).
Bet Haperas	A field declared unclean on account of crushed bones spread through it from a ploughed-up grave.
Bet kor	75,000 square cubits, the area of land in which a kor of seed is planted.
Bet rova	The area of land in which one quarter qab of seed is planted, approximately 104 square cubits.
Bet seah	The area of land in which a seah of seed is planted, 2,500 square cubits.
Demai	Produce about which there is a doubt whether or not the required heave offering and tithes were removed.
Denar	A coin, valued at one-half of a <i>shekel</i> .
Diverse kinds	Heterogeneous plants or animals. These may not be joined together through being planted in the same field, harnessed together, or crossbred (Lev. 19:19, Dt. 22:9– 11).
Dupondion	A coin, valued at one-twelfth of a <i>shekel</i> .
Eighteen Benedictions	The central prayer of the liturgy, recited three times daily, four times on Sabbaths and festivals, and five times on the Day of Atonement.

Erub	A deposit of food which is used (1) to amalgamate several distinct domains or (2) to establish a temporary abode. As a result, on the Sabbath, individuals freely may cross the boundaries of the distinct domains or move beyond the usual range of 2,000 cubits permitted for movement on the holy day.
Etrog	A citron, carried on the Festival of Booths as the "fruit of goodly trees," mentioned at Lev. 23:40.
Gibben	A priest unsuitable for the service at the altar by reason of a blemish, such as is mentioned at Lev. 14:9.
Habdalah	The ceremony which marks the conclusion of a Sabbath or festival and the beginning of an ordinary day.
Haber	A person who (1) separates all required agricultural offerings from food he grows or purchases and (2) eats his food in a state of cultic cleanness.
Halisah	The ceremony which severs the bond between a man and the widow of his brother who has died childless (Dt. 25:7–9).
Hallah	Dough offering, to be separated from dough once it has been kneaded.
Hallel	A portion of the liturgy, consisting of Ps. 113–18, recited on festivals and new moons.
Halusah	A woman who has undergone the ceremony of <i>halisah</i> .
Haroset	A relish made of fruits and spices with vinegar or wine, used to sweeten the bitter herb at the Passover meal (M. Pes. 10:3).
Heikhal	Temple building.
Herem	Something set aside for use of the priests or Temple. The term is used in vows of abstinence, by which an individual prohibits himself from use of a named object.
Issar	A coin, valued at 1/48 of a shekel.

Issaron	A measure of volume, equal to one-tenth of an ephah.
Karmelit	An area of land classified neither as public nor private domain.
Kerem rebai	A vineyard in its fourth year of growth, the produce of which is deemed sanctified (Lev. 19:24).
Ketubah	A marriage contract indicating the sum of money due to the wife upon her husband's death or on being divorced.
Kor	A land measurement.
Коу	An animal about which there is a doubt whether it is in the category of domesticated or undomesticated beasts.
Letekh	A measure of volume, equal to one and a half of an ephah.
Litra	A measure of volume, equal to 1/144 of an ephah.
Log	1/72 of an ephah.
Lulab	The branches of palm, myrtle, and willow which are bound together and carried along with the <i>etrog</i> on the Festival of Booths (Lev. 23:40).
Maah	A coin, valued at one-twelfth of a <i>shekel</i> .
Maamad	A priestly course, that is, one of the twenty- four groups of priests from districts outside of Jerusalem. These served in the Temple in rotation.
Maddaf	The level of uncleanness conveyed by a <i>Zab</i> or <i>Zabah</i> to an object which is located above his head.
Mamzer(et)	The offspring of a man and woman who could not legally marry one another.
Maneh	A weight of gold or silver, equal to fifty <i>shekels</i> .

Markof	The name of a musical instrument.
Melog	Property owned by one individual (usually a wife) the income from which accrues to a different person (the husband).
Mesora	A person unclean with the disease referred to at Lev. 13:3ff.
Mezuzah	A strip of parchment inscribed with Dt. 6:4– 9 and 11:18–21. In accordance with Dt. 6:9 it is fastened to the doorpost of an Israelite's house (pl.: mezuzot).
Midras uncleanness	The level of uncleanness conveyed by any of the individuals listed at Lev. 12:2, 15:2, 25 to objects on which they exert pressure.
Mil	Two thousand cubits.
Min	A heretic (pl.: minim).
Moshav	The level of impurity conveyed by an unclean person to a chair or other object normally used for sitting.
M'SH B (W)	A formulaic phrase used to introduce a legal precedent.
M'SH S	A precedent concerning a law given in abstract language; an illustration.
Nazirite	One who has taken a vow neither to cut his hair, drink wine, nor contract corpse uncleanness (Num. 6:1–27).
Nega	A sore on the body which may indicate that the individual is unclean with the disease saraat, referred to at Lev. 13:3ff.
Neshem	A depilatory.
Netin(ah)	A descendant of the Gibeonites, designated at Josh. 9:27 as Temple slaves. They have impaired status within the Israelite community (M. Qid. 4:1ff).
Niddah	A woman unclean through menstruation.

The first sheaf of the season, which must be harvested and offered in the Temple as a meal offering. Only when this is done may the rest of the new grain be reaped (Lev. 23:10).
Produce from an orchard in its first three years of growth, which may not be eaten (Lev. 19:23).
A formulaic word used to introduce a named authority's expansion of a preceding rule.
The name of a particular room in the Temple.
Produce which grows in the corner of the field and must be left unharvested, to be collected by the poor (Lev. 19:9ff).
A copper coin of small denomination.
1/24 of a <i>shekel</i> .
The Eighteen Benedictions.
The legal document which allows creditors to circumvent the usual abolition of debts in the seventh year of the Sabbatical cycle (M. Sheb. 10:4). The debts are assigned to a court, which prevents their being remitted.
A wine cooler (so Danby, p. 136, n. 9).
One-sixth of a <i>shekel</i> .
A measure of volume, equal to one- eighteenth of an ephah.
An argument a minori ad majus.
A liquid or dry measure, equal to 1/64 of a <i>log</i> .
In the Mishnah, a Roman government official.
A place name.
One of the three pilgrimage festivals,

	Passover, Pentecost, Booths (Tabernacles) (pl.: regalim).
Seah	One-third of an ephah.
Sela	A coin.
Shaatnez	Fabric in which wool and linen are woven together. This is forbidden under the law of <i>diverse kinds</i> .
Shebuah	An oath.
Shekel	The chief silver coin of the Israelites, weighing between a quarter and a half of an ounce.
Shelashit	The third [defined in context, M. Par. 1:1F].
Shema	A section of the liturgy composed of Dt. 6:4–9, 11:13–21 and Num. 15:37–41. It is recited twice daily, morning and evening.
Shittuf	A deposit of food placed jointly by neighbors sharing a courtyard in order to transform all of their homes into a single, collective domain for purposes of carrying burdens on the Sabbath. Cf., <i>Erub</i> .
Shofar	A ram's horn, blown on set occasions in Temple and synagogue worship.
Sit	The distance between the extended thumb and index finger.
Sukkah	A temporary dwelling ("booth") in which Israelites live during the Festival of Tabernacles, in fulfillment of Lev. 34–36, 39–43.
Sukkot	Tabernacles.
Tefillin	Phylacteries, tied on head and arm, containing the four passages Ex. 13:1–10, 11–16, Dt. 6:4–9, 11:13–21.
Teqiah	A blast of a <i>shofar</i>
Terefah	Meat which is ruined in the process of ritual slaughter through some improper act of the

	slaughterer.
Terisit	A coin.
Tebul-yom	A person who has immersed in a ritual bath and awaits the setting of the sun, which marks the completion of the process of purification.
Tumtom	One whose sex is indistinguishable.
Zab/Zabah	A person who has suffered a flux and is deemed unclean (pl.: Zabim, Zabot).
Zibah	The genital flux to which Lev. 15 makes reference.
Zuz	A coin, valued at a <i>denar</i> (i.e., one-half of a <i>shekel</i> ) (pl. zuzim).